

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 268, Page 1, Section A, Line 3, by
2 inserting after all of said section and line the following:

3
4 "43.546. 1. Any state agency, board, or commission may require the fingerprinting of
5 applicants in specified occupations or appointments within the state agency, board, or commission
6 for the purpose of positive identification and receiving criminal history record information when
7 determining an applicant's ability or fitness to serve in such occupation or appointment.

8 2. In order to facilitate the criminal background check under subsection 1 of this section on
9 any person employed or appointed by a state agency, board, or commission, [~~and in accordance with~~
10 ~~section 43.543,~~] the applicant or employee shall submit a set of fingerprints collected under the
11 standards determined by the Missouri highway patrol. The fingerprints and accompanying fees,
12 unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state
13 criminal history repository and the fingerprints shall be forwarded to the Federal Bureau of
14 Investigation for a national criminal background check under section 43.540. Notwithstanding the
15 provisions of section 610.120 to the contrary, all records related to any criminal history information
16 discovered shall be accessible and available to the state agency making the request.

17 168.014. 1. The state board of education may require that fingerprint submissions be made
18 as part of an application seeking a certificate of license to teach or substitute teach in public schools,
19 as provided in sections 168.011, 168.021, and 168.036 and as required by section 168.133.

20 2. If the state board of education requires that fingerprint submissions be made as part of
21 such application, the state board of education shall require applicants to submit the fingerprints to
22 the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
23 criminal history background check.

24 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
25 central repository. The fingerprints shall be used for searching the state criminal records repository
26 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
27 search under section 43.540. The Missouri state highway patrol shall notify the state board of
28 education of any criminal history record information or lack of criminal history record information
29 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all

Action Taken _____ Date _____

1 records related to any criminal history information discovered shall be accessible and available to
2 the state board of education.

3 190.106. 1. The department of health and senior services may require that fingerprint
4 submissions be made as part of an application seeking licensure as an emergency medical technician
5 or "EMT", an advanced emergency medical technician or "AEMT", or a paramedic, and an
6 application seeking certification as an emergency medical technician-community paramedic or
7 "EMT-CP", as such terms are defined in section 190.100.

8 2. If the department of health and senior services requires that fingerprint submissions be
9 made as part of such application, the department of health and senior services shall require
10 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
11 conducting a state and federal fingerprint-based criminal history background check.

12 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
13 central repository. The fingerprints shall be used for searching the state criminal records repository
14 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
15 search under section 43.540. The Missouri state highway patrol shall notify the department of
16 health and senior services of any criminal history record information or lack of criminal history
17 record information discovered on the individual. Notwithstanding the provisions of section 610.120
18 to the contrary, all records related to any criminal history information discovered shall be accessible
19 and available to the department of health and senior services.

20 208.222. 1. The Missouri Medicaid audit and compliance unit within the department of
21 social services may require that fingerprint submissions be made as part of an application seeking to
22 be licensed as a MO HealthNet provider for the purpose of providing MO HealthNet services to
23 eligible persons and obtaining from the department of social services or its divisions reimbursement
24 for eligible services.

25 2. If the Missouri Medicaid audit and compliance unit within the department of social
26 services requires that fingerprint submissions be made as part of such application, the Missouri
27 Medicaid audit and compliance unit within the department of social services shall require applicants
28 to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state
29 and federal fingerprint-based criminal history background check.

30 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
31 central repository. The fingerprints shall be used for searching the state criminal records repository
32 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
33 search under section 43.540. The Missouri state highway patrol shall notify the Missouri Medicaid
34 audit and compliance unit within the department of social services of any criminal history record
35 information or lack of criminal history record information discovered on the individual.
36 Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal
37 history information discovered shall be accessible and available to the Missouri Medicaid audit and
38 compliance unit within the department of social services.

39 4. For purposes of this section, the following terms mean:

1 (1) "MO HealthNet provider", an individual or business that enters into a contractor
2 provider agreement with the department of social services or its divisions for the purpose of
3 providing services to eligible persons and obtaining from the department of social services or its
4 divisions reimbursement for such services;

5 (2) "MO HealthNet services", medical services defined and determined by the department of
6 social services or listed specifically in section 208.152 in which eligible persons receive as part of
7 their Missouri Medicaid coverage.

8 209.324. 1. The state committee of interpreters may require that fingerprint submissions be
9 made as part of an application seeking licensure as an interpreter, as such term is defined in section
10 209.285, and temporary interpreter, as provided in section 209.326.

11 2. If the state committee of interpreters requires that fingerprint submissions be made as part
12 of such application, the state committee of interpreters shall require applicants to submit the
13 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
14 fingerprint-based criminal history background check.

15 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
16 central repository. The fingerprints shall be used for searching the state criminal records repository
17 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
18 search under section 43.540. The Missouri state highway patrol shall notify the committee of any
19 criminal history record information or lack of criminal history record information discovered on the
20 individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to
21 any criminal history information discovered shall be accessible and available to the committee.

22 210.487. 1. The children's division of the department of social services may require
23 fingerprint submissions to the Missouri state highway patrol for the purpose of conducting a state
24 and federal fingerprint-based criminal background check. When conducting investigations of
25 persons for the purpose of foster parent licensing, the children's division shall:

26 (1) Conduct a search for all persons over the age of [~~seventeen~~] eighteen in the applicant's
27 household and for any child less than [~~seventeen~~] eighteen years of age residing in the applicant's
28 home who the division has determined has been certified as an adult for the commission of a crime
29 for evidence of full orders of protection. The office of state courts administrator shall allow access
30 to the automated court information system by the division. The clerk of each court contacted by the
31 division shall provide the division information within ten days of a request;

32 (2) Obtain fingerprints for any person over the age of [~~seventeen~~] eighteen in the applicant's
33 household and for any child less than [~~seventeen~~] eighteen years of age residing in the applicant's
34 home who the division has determined has been certified as an adult for the commission of a crime
35 [~~in the same manner set forth in subsection 2 of section 210.482~~]. The fingerprints and any required
36 fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be
37 used for searching the state criminal records repository and shall also be forwarded to the Federal
38 Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri
39 state highway patrol shall notify the juvenile court or the division of any criminal history record

1 information or lack of criminal history record information discovered on the individual.

2 Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal
3 history information discovered shall be accessible and available to the juvenile court or the division.

4 The highway patrol shall assist the division and provide the criminal fingerprint background
5 information, upon request, under and in accordance with the provisions of section 43.540; and

6 (3) Determine whether any person over the age of [~~seventeen~~] eighteen residing in the home
7 and any child less than [~~seventeen~~] eighteen years of age residing in the applicant's home who the
8 division has determined has been certified as an adult for the commission of a crime is listed on the
9 child abuse and neglect registry. For any children less than [~~seventeen~~] eighteen years of age
10 residing in the applicant's home, the [~~children's~~] division shall inquire of the applicant whether any
11 children less than [~~seventeen~~] eighteen years of age residing in the home have ever been certified as
12 an adult and been convicted of or pled guilty or nolo contendere to any crime.

13 2. [~~After the initial investigation is completed under subsection 1 of this section:~~

14 (1) ~~No person who submits fingerprints under subsection 1 of this section or section 210.482~~
15 ~~shall be required to submit additional fingerprints under this section or section 210.482 unless the~~
16 ~~original fingerprints retained by the division are lost or destroyed;~~

17 (2) ~~The highway patrol shall provide ongoing electronic updates to criminal history~~
18 ~~background checks of those persons previously submitted as part of the licensing or approval~~
19 ~~process under subsection 1 of this section. Ongoing electronic updates for such persons and for~~
20 ~~those in their households shall terminate when such persons cease to be applicant or licensed foster~~
21 ~~parents; and~~

22 (3) ~~The children's division and the department of health and senior services may waive the~~
23 ~~requirement for a fingerprint background check for any subsequent recertification.~~

24 3.] Subject to appropriation, the total cost of fingerprinting required by this section may be
25 paid by the state, including reimbursement of persons incurring fingerprinting costs under this
26 section.

27 [4.] 3. The division may make arrangements with other executive branch agencies to obtain
28 any investigative background information.

29 [5.] 4. The division may promulgate rules that are necessary to implement the provisions of
30 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
31 under the authority delegated in this section shall become effective only if it complies with and is
32 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
33 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
34 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
35 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
36 August 28, 2004, shall be invalid and void.

37 301.551. 1. The department of revenue may require that fingerprint submissions be made as
38 part of an application seeking licensure for a new motor vehicle franchise dealer, used motor vehicle
39 dealer, powersport dealer, wholesale motor vehicle dealer, motor vehicle dealer, public motor

1 vehicle auction, recreational motor vehicle dealer, trailer dealer, boat dealer, manufacturer, or boat
2 manufacturer, as such terms are defined in section 301.550.

3 2. If the department of revenue requires that fingerprint submissions be made as part of such
4 application, the department of revenue shall require applicants to submit the fingerprints to the
5 Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
6 criminal history background check.

7 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
8 central repository. The fingerprints shall be used for searching the state criminal records repository
9 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
10 search under section 43.540. The Missouri state highway patrol shall notify the department of any
11 criminal history record information or lack of criminal history record information discovered on the
12 individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to
13 any criminal history information discovered shall be accessible and available to the department.

14 324.001. 1. For the purposes of this section, the following terms mean:

- 15 (1) "Department", the department of commerce and insurance;
16 (2) "Director", the director of the division of professional registration; and
17 (3) "Division", the division of professional registration.

18 2. There is hereby established a "Division of Professional Registration" assigned to the
19 department of commerce and insurance as a type III transfer, headed by a director appointed by the
20 governor with the advice and consent of the senate. All of the general provisions, definitions and
21 powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive
22 Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

23 3. The director of the division of professional registration shall promulgate rules and
24 regulations which designate for each board or commission assigned to the division the renewal date
25 for licenses or certificates. After the initial establishment of renewal dates, no director of the
26 division shall promulgate a rule or regulation which would change the renewal date for licenses or
27 certificates if such change in renewal date would occur prior to the date on which the renewal date
28 in effect at the time such new renewal date is specified next occurs. Each board or commission shall
29 by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by
30 a board or commission shall be effective for the entire licensing period involved, and shall not be
31 increased during any current licensing period. Persons who are required to pay their first
32 registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the
33 period remaining at the time the fees are paid. Each board or commission shall provide the
34 necessary forms for initial registration, and thereafter the director may prescribe standard forms for
35 renewal of licenses and certificates. Each board or commission shall by rule and regulation require
36 each applicant to provide the information which is required to keep the board's records current.
37 Each board or commission shall have the authority to collect and analyze information required to
38 support workforce planning and policy development. Such information shall not be publicly

1 disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each
2 board or commission shall issue the original license or certificate.

3 4. The division shall provide clerical and other staff services relating to the issuance and
4 renewal of licenses for all the professional licensing and regulating boards and commissions
5 assigned to the division. The division shall perform the financial management and clerical functions
6 as they each relate to issuance and renewal of licenses and certificates. "Issuance and renewal of
7 licenses and certificates" means the ministerial function of preparing and delivering licenses or
8 certificates, and obtaining material and information for the board or commission in connection with
9 the renewal thereof to include verifying if the applicant has submitted all required documentation
10 and that the documentation is legible. It does not include any discretionary authority with regard to
11 the original review of an applicant's qualifications for licensure or certification, or the subsequent
12 review of licensee's or certificate holder's qualifications, or any disciplinary action contemplated
13 against the licensee or certificate holder. The division may develop and implement microfilming
14 systems and automated or manual management information systems.

15 5. The director of the division shall maintain a system of accounting and budgeting, in
16 cooperation with the director of the department, the office of administration, and the state auditor's
17 office, to ensure proper charges are made to the various boards for services rendered to them. The
18 general assembly shall appropriate to the division and other state agencies from each board's funds
19 moneys sufficient to reimburse the division and other state agencies for all services rendered and all
20 facilities and supplies furnished to that board.

21 6. For accounting purposes, the appropriation to the division and to the office of
22 administration for the payment of rent for quarters provided for the division shall be made from the
23 "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the
24 purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it
25 from each board's fund. Each board shall contribute a prorated amount necessary to fund the
26 division for services rendered and rent based upon the system of accounting and budgeting
27 established by the director of the division as provided in subsection 5 of this section. Transfers of
28 funds to the professional registration fees fund shall be made by each board on July first of each
29 year; provided, however, that the director of the division may establish an alternative date or dates
30 of transfers at the request of any board. Such transfers shall be made until they equal the prorated
31 amount for services rendered and rent by the division. The provisions of section 33.080 to the
32 contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of
33 general revenue.

34 7. The director of the division shall be responsible for collecting and accounting for all
35 moneys received by the division or its component agencies. Any money received by a board or
36 commission shall be promptly given, identified by type and source, to the director. The director
37 shall keep a record by board and state accounting system classification of the amount of revenue the
38 director receives. The director shall promptly transmit all receipts to the department of revenue for
39 deposit in the state treasury to the credit of the appropriate fund. The director shall provide each

1 board with all relevant financial information in a timely fashion. Each board shall cooperate with
2 the director by providing necessary information.

3 8. All educational transcripts, test scores, complaints, investigatory reports, and information
4 pertaining to any person who is an applicant or licensee of any agency assigned to the division of
5 professional registration by statute or by the department are confidential and may not be disclosed to
6 the public or any member of the public, except with the written consent of the person whose records
7 are involved. The agency which possesses the records or information shall disclose the records or
8 information if the person whose records or information is involved has consented to the disclosure.
9 Each agency is entitled to the attorney-client privilege and work-product privilege to the same
10 extent as any other person. Provided, however, that any board may disclose confidential
11 information without the consent of the person involved in the course of voluntary interstate
12 exchange of information, or in the course of any litigation concerning that person, or pursuant to a
13 lawful request, or to other administrative or law enforcement agencies acting within the scope of
14 their statutory authority. Information regarding identity, including names and addresses,
15 registration, and currency of the license of the persons possessing licenses to engage in a
16 professional occupation and the names and addresses of applicants for such licenses is not
17 confidential information.

18 9. Any deliberations conducted and votes taken in rendering a final decision after a hearing
19 before an agency assigned to the division shall be closed to the parties and the public. Once a final
20 decision is rendered, that decision shall be made available to the parties and the public.

21 10. A compelling governmental interest shall be deemed to exist for the purposes of section
22 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any
23 agency assigned to the division of professional registration is reasonably expected to exceed an
24 amount that would require transfer from that fund to general revenue.

25 11. (1) The following boards and commissions are assigned by specific type transfers to the
26 division of professional registration: Missouri state board of accountancy, chapter 326; board of
27 cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects,
28 professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri
29 state board of chiropractic examiners, chapter 331; state board of registration for the healing arts,
30 chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors,
31 chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335;
32 board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate
33 appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The
34 governor shall appoint members of these boards by and with the advice and consent of the senate.

35 (2) The boards and commissions assigned to the division shall exercise all their respective
36 statutory duties and powers, except those clerical and other staff services involving collecting and
37 accounting for moneys and financial management relating to the issuance and renewal of licenses,
38 which services shall be provided by the division, within the appropriation therefor. Nothing herein
39 shall prohibit employment of professional examining or testing services from professional

1 associations or others as required by the boards or commissions on contract. Nothing herein shall be
2 construed to affect the power of a board or commission to expend its funds as appropriated.
3 However, the division shall review the expense vouchers of each board. The results of such review
4 shall be submitted to the board reviewed and to the house and senate appropriations committees
5 annually.

6 (3) Notwithstanding any other provisions of law, the director of the division shall exercise
7 only those management functions of the boards and commissions specifically provided in the
8 Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel
9 other than board personnel, and equipment.

10 (4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331,
11 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and
12 responsibilities are in areas not related to the clerical duties involving the issuance and renewal of
13 licenses, to the collecting and accounting for moneys, or to financial management relating to
14 issuance and renewal of licenses; specifically included are executive secretaries (or comparable
15 positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these
16 positions; and such other positions as are established and authorized by statute for a particular board
17 or commission. Boards and commissions may employ legal counsel, if authorized by law, and
18 temporary personnel if the board is unable to meet its responsibilities with the employees authorized
19 above. Any board or commission which hires temporary employees shall annually provide the
20 division director and the appropriation committees of the general assembly with a complete list of
21 all persons employed in the previous year, the length of their employment, the amount of their
22 remuneration, and a description of their responsibilities.

23 (5) Board personnel for each board or commission shall be employed by and serve at the
24 pleasure of the board or commission, shall be supervised as the board or commission designates, and
25 shall have their duties and compensation prescribed by the board or commission, within
26 appropriations for that purpose, except that compensation for board personnel shall not exceed that
27 established for comparable positions as determined by the board or commission pursuant to the job
28 and pay plan of the department of commerce and insurance. Nothing herein shall be construed to
29 permit salaries for any board personnel to be lowered except by board action.

30 12. All the powers, duties, and functions of the division of athletics, chapter 317, and others,
31 are assigned by type I transfer to the division of professional registration.

32 13. Wherever the laws, rules, or regulations of this state make reference to the division of
33 professional registration of the department of economic development, such references shall be
34 deemed to refer to the division of professional registration.

35 14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state
36 committee of psychologists, state board of chiropractic examiners, state board of optometry,
37 Missouri board of occupational therapy, or state board of registration for the healing arts may
38 individually or collectively enter into a contractual agreement with the department of health and
39 senior services, a public institution of higher education, or a nonprofit entity for the purpose of

1 collecting and analyzing workforce data from its licensees, registrants, or permit holders for future
2 workforce planning and to assess the accessibility and availability of qualified health care services
3 and practitioners in Missouri. The boards shall work collaboratively with other state governmental
4 entities to ensure coordination and avoid duplication of efforts.

5 (2) The boards may expend appropriated funds necessary for operational expenses of the
6 program formed under this subsection. Each board is authorized to accept grants to fund the
7 collection or analysis authorized in this subsection. Any such funds shall be deposited in the
8 respective board's fund.

9 (3) Data collection shall be controlled and approved by the applicable state board
10 conducting or requesting the collection. Notwithstanding the provisions of [~~sections 324.010 and~~]
11 section 334.001, the boards may release identifying data to the contractor to facilitate data analysis
12 of the health care workforce including, but not limited to, geographic, demographic, and practice or
13 professional characteristics of licensees. The state board shall not request or be authorized to collect
14 income or other financial earnings data.

15 (4) Data collected under this subsection shall be deemed the property of the state board
16 requesting the data. Data shall be maintained by the state board in accordance with chapter 610,
17 provided that any information deemed closed or confidential under subsection 8 of this section or
18 any other provision of state law shall not be disclosed without consent of the applicable licensee or
19 entity or as otherwise authorized by law. Data shall only be released in an aggregate form by
20 geography, profession or professional specialization, or population characteristic in a manner that
21 cannot be used to identify a specific individual or entity. Data suppression standards shall be
22 addressed and established in the contractual agreement.

23 (5) Contractors shall maintain the security and confidentiality of data received or collected
24 under this subsection and shall not use, disclose, or release any data without approval of the
25 applicable state board. The contractual agreement between the applicable state board and contractor
26 shall establish a data release and research review policy to include legal and institutional review
27 board, or agency-equivalent, approval.

28 (6) Each board may promulgate rules subject to the provisions of this subsection and chapter
29 536 to effectuate and implement the workforce data collection and analysis authorized by this
30 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
31 under the authority delegated in this section shall become effective only if it complies with and is
32 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
33 chapter 536 are nonseverable and if any of the powers vested with the general assembly under
34 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
35 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
36 August 28, 2016, shall be invalid and void.

37 324.009. 1. For purposes of this section, the following terms mean:

38 (1) "License", a license, certificate, registration, permit, accreditation, or military
39 occupational speciality that enables a person to legally practice an occupation or profession in a
40 particular jurisdiction;

1 (2) "Military", the Armed Forces of the United States including the Air Force, Army, Coast
 2 Guard, Marine Corps, Navy, Space Force, National Guard and any other military branch that is
 3 designated by Congress as part of the Armed Forces of the United States, and all reserve
 4 components and auxiliaries. Such term also includes the military reserves and militia of any United
 5 States territory or state;

6 (3) "Missouri law enforcement officer", any person employed by or otherwise serving in a
 7 position for the state or a local governmental entity as a police officer, peace officer certified under
 8 chapter 590, auxiliary police officer, sheriff, sheriff's deputy, member of the patrol as that term is
 9 defined in section 43.010, or in some like position involving the enforcement of the law and
 10 protection of the public interest at the risk of that person's life and who is a permanent resident of
 11 the state of Missouri or who is domiciled in the state of Missouri;

12 (4) "Nonresident military or law enforcement spouse"[]:

13 (a) A nonresident spouse of an active duty member of the Armed Forces of the United
 14 States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has
 15 been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in
 16 the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;
 17 or

18 (b) A nonresident spouse of a person residing outside the state who has accepted an offer of
 19 employment from the state or a local governmental entity in the state and who will become a
 20 Missouri law enforcement officer upon the commencement of such employment;

21 [~~4~~] (5) "Oversight body", any board, department, agency, or office of a jurisdiction that
 22 issues licenses;

23 [~~5~~] (6) "Resident military or law enforcement spouse", a spouse of an active duty member
 24 of the Armed Forces of the United States who has been transferred or is scheduled to be transferred
 25 to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri,
 26 who is domiciled in the state of Missouri, or who has Missouri as his or her home of record or a
 27 spouse of a Missouri law enforcement officer.

28 2. Any person who holds a valid current license issued by another state, a branch or unit of
 29 the military, a territory of the United States, or the District of Columbia, and who has been licensed
 30 for at least one year in such other jurisdiction, may submit an application for a license in Missouri in
 31 the same occupation or profession, and at the same practice level, for which he or she holds the
 32 current license, along with proof of current licensure and proof of licensure for at least one year in
 33 the other jurisdiction, to the relevant oversight body in this state.

34 3. The oversight body in this state shall:

35 (1) Within six months of receiving an application described in subsection 2 of this section,
 36 waive any examination, educational, or experience requirements for licensure in this state for the
 37 applicant if it determines that there were minimum education requirements and, if applicable, work
 38 experience and clinical supervision requirements in effect and the other state verifies that the person
 39 met those requirements in order to be licensed or certified in that state. An oversight body that

1 administers an examination on laws of this state as part of its licensing application requirement may
2 require an applicant to take and pass an examination specific to the laws of this state; or

3 (2) Within thirty days of receiving an application described in subsection 2 of this section
4 from a nonresident military or law enforcement spouse or a resident military or law enforcement
5 spouse, waive any examination, educational, or experience requirements for licensure in this state
6 for the applicant and issue such applicant a license under this section if such applicant otherwise
7 meets the requirements of this section.

8 4. (1) The oversight body shall not waive any examination, educational, or experience
9 requirements for any applicant who has had his or her license revoked by an oversight body outside
10 the state; who is currently under investigation, who has a complaint pending, or who is currently
11 under disciplinary action, except as provided in subdivision (2) of this subsection, with an oversight
12 body outside the state; who does not hold a license in good standing with an oversight body outside
13 the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or
14 who does not hold a valid current license in the other jurisdiction on the date the oversight body
15 receives his or her application under this section.

16 (2) If another jurisdiction has taken disciplinary action against an applicant, the oversight
17 body shall determine if the cause for the action was corrected and the matter resolved. If the matter
18 has not been resolved by that jurisdiction, the oversight body may deny a license until the matter is
19 resolved.

20 5. Nothing in this section shall prohibit the oversight body from denying a license to an
21 applicant under this section for any reason described in any section associated with the occupation
22 or profession for which the applicant seeks a license.

23 6. Any person who is licensed under the provisions of this section shall be subject to the
24 applicable oversight body's jurisdiction and all rules and regulations pertaining to the practice of the
25 licensed occupation or profession in this state.

26 7. This section shall not be construed to waive any requirement for an applicant to pay any
27 fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the
28 applicant seeks.

29 8. This section shall not apply to business, professional, or occupational licenses issued or
30 required by political subdivisions.

31 9. The provisions of this section shall not impede an oversight body's authority to require an
32 applicant to submit fingerprints as part of the application process.

33 10. ~~[The provisions of this section shall not apply to an oversight body that has entered into~~
34 ~~a licensing compact with another state for the regulation of practice under the oversight body's~~
35 ~~jurisdiction.]~~ The provisions of this section shall not be construed to alter the authority granted by,
36 or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted
37 by Missouri statute or any reciprocity agreements with other states in effect ~~[on August 28, 2018]~~,
38 and whenever possible this section shall be interpreted so as to imply no conflict between it and any
39 compact, or any reciprocity agreements with other states in effect ~~[on August 28, 2018]~~.

1 11. Notwithstanding any other provision of law, a license issued under this section shall be
2 valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An
3 applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for
4 licensure by an oversight body under the provisions of this section.

5 12. The provisions of this section shall not apply to any occupation set forth in subsection 6
6 of section 290.257, or any electrical contractor licensed under sections 324.900 to 324.945.

7 324.055. 1. The Missouri board of occupational therapy may require that fingerprint
8 submissions be made as part of an application seeking licensure as an occupational therapist or an
9 occupational therapy assistant, or a limited permit to practice occupational therapy, as such terms
10 are defined in section 324.050 and as provided in section 324.077.

11 2. If the Missouri board of occupational therapy requires that fingerprint submissions be
12 made as part of such application, the Missouri board of occupational therapy shall require applicants
13 to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state
14 and federal fingerprint-based criminal history background check.

15 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
16 central repository. The fingerprints shall be used for searching the state criminal records repository
17 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
18 search under section 43.540. The Missouri state highway patrol shall notify the Missouri board of
19 occupational therapy of any criminal history record information or lack of criminal history record
20 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
21 contrary, all records related to any criminal history information discovered shall be accessible and
22 available to the Missouri board of occupational therapy.

23 324.129. 1. The state board of registration for the healing arts may require that fingerprint
24 submissions be made as part of an application seeking licensure as a licensed clinical perfusionist
25 and provisional clinical licensed perfusionist, as defined in section 324.128.

26 2. If the state board of registration for the healing arts requires that fingerprint submissions
27 be made as part of such application, the state board of registration for the healing arts shall require
28 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
29 conducting a state and federal fingerprint-based criminal history background check.

30 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
31 central repository. The fingerprints shall be used for searching the state criminal records repository
32 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
33 search under section 43.540. The Missouri state highway patrol shall notify the state board of
34 registration for the healing arts of any criminal history record information or lack of criminal history
35 record information discovered on the individual. Notwithstanding the provisions of section 610.120
36 to the contrary, all records related to any criminal history information discovered shall be accessible
37 and available to the state board of registration for the healing arts.

38 324.214. 1. For purposes of this section, the following terms mean:

1 (1) "License", a license, certificate, registration, permit, accreditation, or military
2 occupational specialty that enables a person to legally practice an occupation or profession in a
3 particular jurisdiction;

4 (2) "Military", the Armed Forces of the United States, including the Air Force, Army, Coast
5 Guard, Marine Corps, Navy, Space Force, National Guard, and any other military branch that is
6 designated by Congress as part of the Armed Forces of the United States, and all reserve
7 components and auxiliaries. The term "military" also includes the military reserves and militia of
8 any United States territory or state;

9 (3) "Nonresident military spouse", a nonresident spouse of an active-duty member of the
10 Armed Forces of the United States who has been transferred or is scheduled to be transferred to the
11 state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state
12 and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a
13 permanent change-of-station basis;

14 (4) "Oversight body", any board, department, agency, or office of a jurisdiction that issues
15 licenses;

16 (5) "Resident military spouse", a spouse of an active-duty member of the Armed Forces of
17 the United States who has been transferred or is scheduled to be transferred to the state of Missouri
18 or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the
19 state of Missouri, or who has Missouri as his or her home of record.

20 2. Any person who holds a valid current dietitian license issued by another state, a branch or
21 unit of the military, a territory of the United States, or the District of Columbia, and who has been
22 licensed for at least one year in such other jurisdiction, may submit to the committee an application
23 for a dietitian license in Missouri along with proof of current licensure and proof of licensure for at
24 least one year in the other jurisdiction.

25 3. The committee shall:

26 (1) Within six months of receiving an application described in subsection 2 of this section,
27 waive any examination, educational, or experience requirements for licensure in this state for the
28 applicant if it determines that there were minimum education requirements and, if applicable, work
29 experience and clinical supervision requirements in effect and the other jurisdiction verifies that the
30 person met those requirements in order to be licensed or certified in that jurisdiction. The
31 committee may require an applicant to take and pass an examination specific to the laws of this
32 state; or

33 (2) Within thirty days of receiving an application described in subsection 2 of this section
34 from a nonresident military spouse or a resident military spouse, waive any examination,
35 educational, or experience requirements for licensure in this state for the applicant and issue such
36 applicant a license under this section if such applicant otherwise meets the requirements of this
37 section.

38 4. (1) The committee shall not waive any examination, educational, or experience
39 requirements for any applicant who has had his or her license revoked by an oversight body outside

1 the state; who is currently under investigation, who has a complaint pending, or who is currently
2 under disciplinary action, except as provided in subdivision (2) of this subsection, with an oversight
3 body outside the state; who does not hold a license in good standing with an oversight body outside
4 the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or
5 who does not hold a valid current license in the other jurisdiction on the date the committee receives
6 his or her application under this section.

7 (2) If another jurisdiction has taken disciplinary action against an applicant, the committee
8 shall determine if the cause for the action was corrected and the matter resolved. If the matter has
9 not been resolved by that jurisdiction, the committee may deny a license until the matter is resolved.

10 5. Nothing in this section shall prohibit the committee from denying a license to an
11 applicant under this section for any reason described in section 324.217.

12 6. Any person who is licensed under the provisions of this section shall be subject to the
13 committee's jurisdiction and all rules and regulations pertaining to the practice as a dietitian in this
14 state.

15 7. This section shall not be construed to waive any requirement for an applicant to pay any
16 fees.

17 324.218. 1. An applicant who has not previously taken or passed an examination
18 recognized by the committee and who meets the qualifications of subsection 2 of section 324.210
19 may obtain without examination a nonrenewable temporary license by paying a temporary-license
20 fee and submitting to the committee an agreement-to-supervise form that is signed by a licensed
21 dietitian who has agreed to supervise the applicant. Such temporary licensee may practice dietetics,
22 but any such practice shall be under the supervision of a dietitian licensed in this state.

23 2. (1) Any dietitian who has agreed to supervise a temporary licensee shall hold an
24 unencumbered license to practice dietetics in this state and shall provide the committee proof of
25 active dietetics practice in this state for a minimum of one year before supervising the temporary
26 licensee.

27 (2) The supervising dietitian shall not be an immediate family member of the temporary
28 licensee. The committee shall define the term "immediate family member" for purposes of this
29 subdivision and the scope of such supervision by rule.

30 3. (1) The dietitian who has agreed to supervise the applicant for a temporary license shall
31 submit to the committee a signed and notarized form prescribed by the committee attesting that the
32 applicant for a temporary license shall begin employment at a location in this state within seven
33 days of issuance of the temporary license.

34 (2) If the temporary licensee's employment described in subdivision (1) of this subsection
35 ceases, the supervising dietitian shall notify the committee within three days of such cessation.

36 4. A licensed dietitian shall not supervise more than one temporary licensee at a time.

37 5. The temporary license obtained by an applicant under this section shall expire the date the
38 committee is notified by the supervising dietitian that the temporary licensee's employment has
39 ceased or within one hundred eighty days of its issuance, whichever occurs first.

1 324.246. 1. The board of therapeutic massage may require that fingerprint submissions be
2 made as part of an application seeking a license, provisional license, or student license as a massage
3 therapist and a license as a massage business, as such terms are defined in section 324.240 and as
4 provided in sections 324.247 and 324.265.

5 2. If the board of therapeutic massage requires that fingerprint submissions be made as part
6 of such application, the board of therapeutic massage shall require applicants to submit the
7 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
8 fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
10 central repository. The fingerprints shall be used for searching the state criminal records repository
11 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
12 search under section 43.540. The Missouri state highway patrol shall notify the board of therapeutic
13 massage of any criminal history record information or lack of criminal history record information
14 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and available to
16 the board of therapeutic massage.

17 324.263. 1. The board may apply to the administrative hearing commission for an
18 emergency suspension or restriction of a license issued under sections 324.240 to 324.275 if:

19 (1) The holder of the license is the subject of a pending criminal indictment, criminal
20 information, or other criminal charge related to the duties and responsibilities of the licensed
21 occupation; and

22 (2) There is reasonable cause for the board to believe that the public health, safety, or
23 welfare is at imminent risk of harm from the holder of the license.

24 2. The board shall submit to the administrative hearing commission supporting affidavits
25 and certified court records, together with a complaint alleging the facts in support of the board's
26 request for an emergency suspension or restriction of a license, and shall supply the administrative
27 hearing commission with the last home or business addresses on file with the board for the licensee.
28 Within one business day of the filing of the complaint, the administrative hearing commission shall
29 return a service packet to the board. The service packet shall include the board's complaint and any
30 affidavits or records the board intends to rely on that have been filed with the administrative hearing
31 commission. The service packet may contain other information in the discretion of the
32 administrative hearing commission. Within twenty-four hours of receiving the packet, the board
33 shall either personally serve the licensee the service packet or leave a copy of the service packet at
34 all of the licensee's current addresses on file with the board.

35 3. Within five days of the board's filing of the complaint, the administrative hearing
36 commission shall review the information submitted by the board and shall issue its findings of fact
37 and conclusions of law. If the administrative hearing commission finds that there is reasonable
38 cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm
39 from the holder of the license, the administrative hearing commission shall enter the order requested

1 by the board. The order shall be effective upon personal service or by leaving a copy at all of the
2 licensee's current addresses on file with the board.

3 4. (1) The administrative hearing commission shall hold an evidentiary hearing on the
4 record within forty-five days of the board's filing of the complaint, or upon final adjudication of any
5 criminal charges filed against the licensee, as appropriate, to determine if cause for discipline exists
6 under the provisions of sections 324.240 to 324.275 and to determine whether the initial order
7 entered by the commission shall continue in effect. Prior to the hearing, the licensee may file
8 affidavits and certified court records for consideration by the administrative hearing commission.
9 The administrative hearing commission may grant a request for a continuance but shall in any event
10 hold the hearing within one hundred twenty days of the board's initial filing. The board shall be
11 granted leave to amend its complaint if it is more than thirty days prior to the hearing, or within
12 thirty days prior to the hearing upon a showing of good cause.

13 (2) If no cause for discipline is found following an evidentiary hearing, the administrative
14 hearing commission shall issue findings of fact, conclusions of law, and an order terminating the
15 commission's initial order imposing an emergency suspension or restriction of the license.

16 (3) If the administrative hearing commission finds cause for discipline following an
17 evidentiary hearing, the commission shall issue findings of fact and conclusions of law and order the
18 emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing
19 before the board. The board shall hold a hearing following the certification of the record by the
20 administrative hearing commission and may impose discipline otherwise authorized by state law.

21 5. Any action under this section shall be in addition to and not in lieu of any discipline
22 otherwise in the board's power to impose and may be brought concurrently with other actions.

23 6. If the administrative hearing commission does not grant an initial order imposing an
24 emergency suspension or restriction of the license as described in subsection 3 of this section, the
25 board shall remove all reference to such emergency suspension or restriction from its public records.

26 324.488. 1. The state board of chiropractic examiners may require that fingerprint
27 submissions be made as part of an application seeking licensure as an acupuncturist, as such term is
28 defined in section 324.475.

29 2. If the state board of chiropractic examiners requires that fingerprint submissions be made
30 as part of such application, the state board of chiropractic examiners shall require applicants to
31 submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and
32 federal fingerprint-based criminal history background check.

33 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
34 central repository. The fingerprints shall be used for searching the state criminal records repository
35 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
36 search under section 43.540. The Missouri state highway patrol shall notify the state board of
37 chiropractic examiners of any criminal history record information or lack of criminal history record
38 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the

1 contrary, all records related to any criminal history information discovered shall be accessible and
2 available to the state board of chiropractic examiners.

3 324.1105. 1. The board of private investigator and private fire investigator examiners may
4 require that fingerprint submissions be made as part of an application seeking licensure as a private
5 investigator or private fire investigator or as an employee of a private investigator agency or private
6 fire investigator agency, as such terms are defined in section 324.1100.

7 2. If the board of private investigator and private fire investigator examiners requires that
8 fingerprint submissions be made as part of such application, the board of private investigator and
9 private fire investigator examiners shall require applicants to submit the fingerprints to the Missouri
10 state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal
11 history background check.

12 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
13 central repository. The fingerprints shall be used for searching the state criminal records repository
14 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
15 search under section 43.540. The Missouri state highway patrol shall notify the board of private
16 investigator and private fire investigator examiners of any criminal history record information or
17 lack of criminal history record information discovered on the individual. Notwithstanding the
18 provisions of section 610.120 to the contrary, all records related to any criminal history information
19 discovered shall be accessible and available to the board of private investigator and private fire
20 investigator examiners.

21 324.1800. 1. Sections 324.1800 to 324.1865 shall be known and may be cited as the
22 "Dietitian Licensure Compact".

23 2. The purpose of this Compact is to facilitate interstate Practice of Dietetics with the goal
24 of improving public access to dietetics services. This Compact preserves the regulatory authority of
25 States to protect public health and safety through the current system of State licensure, while also
26 providing for licensure portability through a Compact Privilege granted to qualifying professionals.

27 3. This Compact is designed to achieve the following objectives:

28 (1) Increase public access to dietetics services;

29 (2) Provide opportunities for interstate practice by Licensed Dietitians who meet uniform
30 requirements;

31 (3) Eliminate the necessity for Licenses in multiple States;

32 (4) Reduce administrative burden on Member States and Licensees;

33 (5) Enhance the States' ability to protect the public's health and safety;

34 (6) Encourage the cooperation of Member States in regulating multistate practice of
35 Licensed Dietitians;

36 (7) Support relocating Active Military Members and their spouses;

37 (8) Enhance the exchange of licensure, investigative, and disciplinary information among
38 Member States; and

1 (9) Vest all Member States with the authority to hold a Licensed Dietitian accountable for
2 meeting all State practice laws in the State in which the patient is located at the time care is
3 rendered.

4 324.1805. As used in this Compact, and except as otherwise provided, the following
5 definitions shall apply:

6 (1) "ACEND" means the Accreditation Council for Education in Nutrition and Dietetics or
7 its successor organization.

8 (2) "Active Military Member" means any individual with full-time duty status in the active
9 armed forces of the United States, including members of the National Guard and Reserve.

10 (3) "Adverse Action" means any administrative, civil, equitable or criminal action permitted
11 by a State's laws which is imposed by a Licensing Authority or other authority against a Licensee,
12 including actions against an individual's License or Compact Privilege such as revocation,
13 suspension, probation, monitoring of the Licensee, limitation on the Licensee's practice, or any other
14 Encumbrance on licensure affecting a Licensee's authorization to practice, including issuance of a
15 cease and desist action.

16 (4) "Alternative Program" means a non-disciplinary monitoring or practice remediation
17 process approved by a Licensing Authority.

18 (5) "Charter Member State" means any Member State which enacted this Compact by law
19 before the Effective Date specified in section 324.1855.

20 (6) "Continuing Education" means a requirement, as a condition of License renewal, to
21 provide evidence of participation in, and completion of, educational and professional activities
22 relevant to practice or area of work.

23 (7) "CDR" means the Commission on Dietetic Registration or its successor organization.

24 (8) "Compact Commission" means the government agency whose membership consists of
25 all States that have enacted this Compact, which is known as the Dietitian Licensure Compact
26 Commission, as described in section 324.1835, and which shall operate as an instrumentality of the
27 Member States.

28 (9) "Compact Privilege" means a legal authorization, which is equivalent to a License,
29 permitting the Practice of Dietetics in a Remote State.

30 (10) "Current Significant Investigative Information" means:

31 (a) Investigative Information that a Licensing Authority, after a preliminary inquiry that
32 includes notification and an opportunity for the subject Licensee to respond, if required by State law,
33 has reason to believe is not groundless and, if proved true, would indicate more than a minor
34 infraction; or

35 (b) Investigative Information that indicates that the subject Licensee represents an
36 immediate threat to public health and safety regardless of whether the subject Licensee has been
37 notified and had an opportunity to respond.

1 (11) "Data System" means a repository of information about Licensees, including, but not
2 limited to, Continuing Education, examination, licensure, investigative, Compact Privilege and
3 Adverse Action information.

4 (12) "Encumbered License" means a License in which an Adverse Action restricts a
5 Licensee's ability to practice dietetics.

6 (13) "Encumbrance" means a revocation or suspension of, or any limitation on a Licensee's
7 full and unrestricted Practice of Dietetics by a Licensing Authority.

8 (14) "Executive Committee" means a group of delegates elected or appointed to act on
9 behalf of, and within the powers granted to them by, this Compact, and the Compact Commission.

10 (15) "Home State" means the Member State that is the Licensee's primary State of residence
11 or that has been designated pursuant to section 324.1825.

12 (16) "Investigative Information" means information, records, and documents received or
13 generated by a Licensing Authority pursuant to an investigation.

14 (17) "Jurisprudence Requirement" means an assessment of an individual's knowledge of the
15 State laws and regulations governing the Practice of Dietetics in such State.

16 (18) "License" means an authorization from a Member State to either:

17 (a) Engage in the Practice of Dietetics (including medical nutrition therapy); or

18 (b) Use the title "dietitian," "licensed dietitian," "licensed dietitian nutritionist," "certified
19 dietitian," or other title describing a substantially similar practitioner as the Compact Commission
20 may further define by Rule.

21 (19) "Licensee" or "Licensed Dietitian" means an individual who currently holds a License
22 and who meets all of the requirements outlined in section 324.1815.

23 (20) "Licensing Authority" means the board or agency of a State, or equivalent, that is
24 responsible for the licensing and regulation of the Practice of Dietetics.

25 (21) "Member State" means a State that has enacted the Compact.

26 (22) "Practice of Dietetics" means the synthesis and application of dietetics as defined by
27 state law and regulations, primarily for the provision of nutrition care services, including medical
28 nutrition therapy, in person or via telehealth, to prevent, manage, or treat diseases or medical
29 conditions and promote wellness.

30 (23) "Registered Dietitian" means a person who:

31 (a) Has completed applicable education, experience, examination, and recertification
32 requirements approved by CDR;

33 (b) Is credentialed by CDR as a registered dietitian or a registered dietitian nutritionist; and

34 (c) Is legally authorized to use the title registered dietitian or registered dietitian nutritionist
35 and the corresponding abbreviations "RD" or "RDN."

36 (24) "Remote State" means a Member State other than the Home State, where a Licensee is
37 exercising or seeking to exercise a Compact Privilege.

38 (25) "Rule" means a regulation promulgated by the Compact Commission that has the force
39 of law.

1 (26) "Single State License" means a License issued by a Member State within the issuing
2 State and does not include a Compact Privilege in any other Member State.

3 (27) "State" means any state, commonwealth, district, or territory of the United States of
4 America.

5 (28) "Unencumbered License" means a License that authorizes a Licensee to engage in the
6 full and unrestricted Practice of Dietetics.

7 324.1810. 1. To participate in the Compact, a State must currently:

8 (1) License and regulate the Practice of Dietetics; and

9 (2) Have a mechanism in place for receiving and investigating complaints about Licensees.

10 2. A Member State shall:

11 (1) Participate fully in the Compact Commission's Data System, including using the unique
12 identifier as defined in Rules;

13 (2) Notify the Compact Commission, in compliance with the terms of the Compact and
14 Rules, of any Adverse Action or the availability of Current Significant Investigative Information
15 regarding a Licensee;

16 (3) Implement or utilize procedures for considering the criminal history record information
17 of applicants for an initial Compact Privilege. These procedures shall include the submission of
18 fingerprints or other biometric-based information by applicants for the purpose of obtaining an
19 applicant's criminal history record information from the Federal Bureau of Investigation and the
20 agency responsible for retaining that State's criminal records;

21 (a) A Member State must fully implement a criminal history record information
22 requirement, within a time frame established by Rule, which includes receiving the results of the
23 Federal Bureau of Investigation record search and shall use those results in determining Compact
24 Privilege eligibility.

25 (b) Communication between a Member State and the Compact Commission or among
26 Member States regarding the verification of eligibility for a Compact Privilege shall not include any
27 information received from the Federal Bureau of Investigation relating to a federal criminal history
28 record information check performed by a Member State;

29 (4) Comply with and enforce the Rules of the Compact Commission;

30 (5) Require an applicant for a Compact Privilege to obtain or retain a License in the
31 Licensee's Home State and meet the Home State's qualifications for licensure or renewal of
32 licensure, as well as all other applicable State laws; and

33 (6) Recognize a Compact Privilege granted to a Licensee who meets all of the requirements
34 outlined in section 324.1815 in accordance with the terms of the Compact and Rules.

35 3. Member States may set and collect a fee for granting a Compact Privilege.

36 4. Individuals not residing in a Member State shall continue to be able to apply for a
37 Member State's Single State License as provided under the laws of each Member State. However,
38 the Single State License granted to these individuals shall not be recognized as granting a Compact
39 Privilege to engage in the Practice of Dietetics in any other Member State.

1 5. Nothing in this Compact shall affect the requirements established by a Member State for
2 the issuance of a Single State License.

3 6. At no point shall the Compact Commission have the power to define the requirements for
4 the issuance of a Single State License to practice dietetics. The Member States shall retain sole
5 jurisdiction over the provision of these requirements.

6 324.1815. 1. To exercise the Compact Privilege under the terms and provisions of the
7 Compact, the Licensee shall:

8 (1) Satisfy one of the following:

9 (a) Hold a valid current registration that gives the applicant the right to use the term
10 Registered Dietitian; or

11 (b) Complete all of the following:

12 a. An education program which is either:

13 (i) A master's degree or doctoral degree that is programmatically accredited by:

14 i. ACEND; or

15 ii. A dietetics accrediting agency recognized by the United States Department of Education,
16 which the Compact Commission may by Rule determine, and from a college or university
17 accredited at the time of graduation by the appropriate regional accrediting agency recognized by
18 the Council on Higher Education Accreditation and the United States Department of Education.

19 (ii) An academic degree from a college or university in a foreign country equivalent to the
20 degree described in item (i) that is programmatically accredited by:

21 i. ACEND; or

22 ii. A dietetics accrediting agency recognized by the United States Department of Education,
23 which the Compact Commission may by Rule determine.

24 b. A planned, documented, supervised practice experience in dietetics that is
25 programmatically accredited by:

26 (i) ACEND; or

27 (ii) A dietetics accrediting agency recognized by the United States Department of Education
28 which the Compact Commission may by Rule determine and which involves at least 1000 hours of
29 practice experience under the supervision of a Registered Dietitian or a Licensed Dietitian.

30 c. Successful completion of either:

31 (i) The Registration Examination for Dietitians administered by CDR; or

32 (ii) A national credentialing examination for dietitians approved by the Compact
33 Commission by Rule; such completion being no more than five years prior to the date of the
34 Licensee's application for initial licensure and accompanied by a period of continuous licensure
35 thereafter, all of which may be further governed by the Rules of the Compact Commission;

36 (2) Hold an Unencumbered License in the Home State;

37 (3) Notify the Compact Commission that the Licensee is seeking a Compact Privilege
38 within a Remote State or States;

39 (4) Pay any applicable fees, including any State fee, for the Compact Privilege;

1 (5) Meet any Jurisprudence Requirements established by the Remote State or States in
2 which the Licensee is seeking a Compact Privilege; and

3 (6) Report to the Compact Commission any Adverse Action, Encumbrance, or restriction on
4 a License taken by any non-Member State within 30 days from the date the action is taken.

5 2. The Compact Privilege is valid until the expiration date of the Home State License. To
6 maintain a Compact Privilege, renewal of the Compact Privilege shall be congruent with the
7 renewal of the Home State License as the Compact Commission may define by Rule. The Licensee
8 must comply with the requirements of subsection 1 of this section to maintain the Compact Privilege
9 in the Remote State or States.

10 3. A Licensee exercising a Compact Privilege shall adhere to the laws and regulations of the
11 Remote State. Licensees shall be responsible for educating themselves on, and complying with, any
12 and all State laws relating to the Practice of Dietetics in such Remote State.

13 4. Notwithstanding anything to the contrary provided in this Compact or State law, a
14 Licensee exercising a Compact Privilege shall not be required to complete Continuing Education
15 Requirements required by a Remote State. A Licensee exercising a Compact Privilege is only
16 required to meet any Continuing Education Requirements as required by the Home State.

17 324.1820. 1. A Licensee may hold a Home State License, which allows for a Compact
18 Privilege in other Member States, in only one Member State at a time.

19 2. If a Licensee changes Home State by moving between two Member States:

20 (1) The Licensee shall file an application for obtaining a new Home State License based on
21 a Compact Privilege, pay all applicable fees, and notify the current and new Home State in
22 accordance with the Rules of the Compact Commission.

23 (2) Upon receipt of an application for obtaining a new Home State License by virtue of a
24 Compact Privilege, the new Home State shall verify that the Licensee meets the criteria in section
25 324.1815 via the Data System, and require that the Licensee complete the following:

26 (a) Federal Bureau of Investigation fingerprint based criminal history record information
27 check;

28 (b) Any other criminal history record information required by the new Home State; and

29 (c) Any Jurisprudence Requirements of the new Home State.

30 (3) The former Home State shall convert the former Home State License into a Compact
31 Privilege once the new Home State has activated the new Home State License in accordance with
32 applicable Rules adopted by the Compact Commission.

33 (4) Notwithstanding any other provision of this Compact, if the Licensee cannot meet the
34 criteria in section 324.1815, the new Home State may apply its requirements for issuing a new
35 Single State License.

36 (5) The Licensee shall pay all applicable fees to the new Home State in order to be issued a
37 new Home State License.

1 3. If a Licensee changes their State of residence by moving from a Member State to a non-
2 Member State, or from a non-Member State to a Member State, the State criteria shall apply for
3 issuance of a Single State License in the new State.

4 4. Nothing in this Compact shall interfere with a Licensee's ability to hold a Single State
5 License in multiple States; however, for the purposes of this Compact, a Licensee shall have only
6 one Home State License.

7 5. Nothing in this Compact shall affect the requirements established by a Member State for
8 the issuance of a Single State License.

9 324.1825. An Active Military Member, or their spouse, shall designate a Home State where
10 the individual has a current License in good standing. The individual may retain the Home State
11 designation during the period the service member is on active duty.

12 324.1830. 1. In addition to the other powers conferred by State law, a Remote State shall
13 have the authority, in accordance with existing State due process law, to:

14 (1) Take Adverse Action against a Licensee's Compact Privilege within that Member State;
15 and

16 (2) Issue subpoenas for both hearings and investigations that require the attendance and
17 testimony of witnesses as well as the production of evidence. Subpoenas issued by a Licensing
18 Authority in a Member State for the attendance and testimony of witnesses or the production of
19 evidence from another Member State shall be enforced in the latter State by any court of competent
20 jurisdiction, according to the practice and procedure applicable to subpoenas issued in proceedings
21 pending before that court. The issuing authority shall pay any witness fees, travel expenses,
22 mileage, and other fees required by the service statutes of the State in which the witnesses or
23 evidence are located.

24 2. Only the Home State shall have the power to take Adverse Action against a Licensee's
25 Home State License.

26 3. For purposes of taking Adverse Action, the Home State shall give the same priority and
27 effect to reported conduct received from a Member State as it would if the conduct had occurred
28 within the Home State. In so doing, the Home State shall apply its own State laws to determine
29 appropriate action.

30 4. The Home State shall complete any pending investigations of a Licensee who changes
31 Home States during the course of the investigations. The Home State shall also have authority to
32 take appropriate action or actions and shall promptly report the conclusions of the investigations to
33 the administrator of the Data System. The administrator of the Data System shall promptly notify
34 the new Home State of any Adverse Actions.

35 5. A Member State, if otherwise permitted by State law, may recover from the affected
36 Licensee the costs of investigations and dispositions of cases resulting from any Adverse Action
37 taken against that Licensee.

1 6. A Member State may take Adverse Action based on the factual findings of another
2 Remote State, provided that the Member State follows its own procedures for taking the Adverse
3 Action.

4 7. (1) In addition to the authority granted to a Member State by its respective State law, any
5 Member State may participate with other Member States in joint investigations of Licensees.

6 (2) Member States shall share any investigative, litigation, or compliance materials in
7 furtherance of any joint investigation initiated under the Compact.

8 8. If Adverse Action is taken by the Home State against a Licensee's Home State License
9 resulting in an Encumbrance on the Home State License, the Licensee's Compact Privilege or
10 Privileges in all other Member States shall be revoked until all Encumbrances have been removed
11 from the Home State License. All Home State disciplinary orders that impose Adverse Action
12 against a Licensee shall include a statement that the Licensee's Compact Privileges are revoked in
13 all Member States during the pendency of the order.

14 9. Once an Encumbered License in the Home State is restored to an Unencumbered License
15 (as certified by the Home State's Licensing Authority), the Licensee must meet the requirements of
16 subsection 1 of section 324.1815 and follow the administrative requirements to reapply to obtain a
17 Compact Privilege in any Remote State.

18 10. If a Member State takes Adverse Action, it shall promptly notify the administrator of the
19 Data System. The administrator of the Data System shall promptly notify the other Member States
20 of any Adverse Actions.

21 11. Nothing in this Compact shall override a Member State's decision that participation in an
22 Alternative Program may be used in lieu of Adverse Action.

23 324.1835. 1. The Compact Member States hereby create and establish a joint government
24 agency whose membership consists of all Member States that have enacted the Compact known as
25 the Dietitian Licensure Compact Commission. The Compact Commission is an instrumentality of
26 the Compact States acting jointly and not an instrumentality of any one State. The Compact
27 Commission shall come into existence on or after the effective date of the Compact as set forth in
28 section 324.1855.

29 2. (1) Each Member State shall have and be limited to one (1) delegate selected by that
30 Member State's Licensing Authority.

31 (2) The delegate shall be the primary administrator of the Licensing Authority or their
32 designee.

33 (3) The Compact Commission shall by Rule or bylaw establish a term of office for delegates
34 and may by Rule or bylaw establish term limits.

35 (4) The Compact Commission may recommend removal or suspension of any delegate from
36 office.

37 (5) A Member State's Licensing Authority shall fill any vacancy of its delegate occurring on
38 the Compact Commission within 60 days of the vacancy.

1 (6) Each delegate shall be entitled to one vote on all matters before the Compact
2 Commission requiring a vote by the delegates.

3 (7) Delegates shall meet and vote by such means as set forth in the bylaws. The bylaws may
4 provide for delegates to meet and vote in-person or by telecommunication, video conference, or
5 other means of communication.

6 (8) The Compact Commission shall meet at least once during each calendar year.
7 Additional meetings may be held as set forth in the bylaws. The Compact Commission may meet in
8 person or by telecommunication, video conference, or other means of communication.

9 3. The Compact Commission shall have the following powers:

10 (1) Establish the fiscal year of the Compact Commission;

11 (2) Establish code of conduct and conflict of interest policies;

12 (3) Establish and amend Rules and bylaws;

13 (4) Maintain its financial records in accordance with the bylaws;

14 (5) Meet and take such actions as are consistent with the provisions of this Compact, the
15 Compact Commission's Rules, and the bylaws;

16 (6) Initiate and conclude legal proceedings or actions in the name of the Compact
17 Commission, provided that the standing of any Licensing Authority to sue or be sued under
18 applicable law shall not be affected;

19 (7) Maintain and certify records and information provided to a Member State as the
20 authenticated business records of the Compact Commission, and designate an agent to do so on the
21 Compact Commission's behalf;

22 (8) Purchase and maintain insurance and bonds;

23 (9) Borrow, accept, or contract for services of personnel, including, but not limited to,
24 employees of a Member State;

25 (10) Conduct an annual financial review;

26 (11) Hire employees, elect or appoint officers, fix compensation, define duties, grant such
27 individuals appropriate authority to carry out the purposes of the Compact, and establish the
28 Compact Commission's personnel policies and programs relating to conflicts of interest,
29 qualifications of personnel, and other related personnel matters;

30 (12) Assess and collect fees;

31 (13) Accept any and all appropriate donations, grants of money, other sources of revenue,
32 equipment, supplies, materials, services, and gifts, and receive, utilize, and dispose of the same;
33 provided that at all times the Compact Commission shall avoid any actual or appearance of
34 impropriety or conflict of interest;

35 (14) Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or
36 mixed, or any undivided interest therein;

37 (15) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any
38 property real, personal, or mixed;

39 (16) Establish a budget and make expenditures;

1 (17) Borrow money;

2 (18) Appoint committees, including standing committees, composed of members, State
3 regulators, State legislators or their representatives, and consumer representatives, and such other
4 interested persons as may be designated in this Compact or the bylaws;

5 (19) Provide and receive information from, and cooperate with, law enforcement agencies;

6 (20) Establish and elect an Executive Committee, including a chair and a vice chair;

7 (21) Determine whether a State's adopted language is materially different from the model
8 compact language such that the State would not qualify for participation in the Compact; and

9 (22) Perform such other functions as may be necessary or appropriate to achieve the
10 purposes of this Compact.

11 4. (1) The Executive Committee shall have the power to act on behalf of the Compact
12 Commission according to the terms of this Compact. The powers, duties, and responsibilities of the
13 Executive Committee shall include:

14 (a) Oversee the day-to-day activities of the administration of the Compact including
15 enforcement and compliance with the provisions of the Compact, its Rules and bylaws, and other
16 such duties as deemed necessary;

17 (b) Recommend to the Compact Commission changes to the Rules or bylaws, changes to
18 this Compact legislation, fees charged to Compact Member States, fees charged to Licensees, and
19 other fees;

20 (c) Ensure Compact administration services are appropriately provided, including by
21 contract;

22 (d) Prepare and recommend the budget;

23 (e) Maintain financial records on behalf of the Compact Commission;

24 (f) Monitor Compact compliance of Member States and provide compliance reports to the
25 Compact Commission;

26 (g) Establish additional committees as necessary;

27 (h) Exercise the powers and duties of the Compact Commission during the interim between
28 Compact Commission meetings, except for adopting or amending Rules, adopting or amending
29 bylaws, and exercising any other powers and duties expressly reserved to the Compact Commission
30 by Rule or bylaw; and

31 (i) Other duties as provided in the Rules or bylaws of the Compact Commission.

32 (2) The Executive Committee shall be composed of nine members:

33 (a) The chair and vice chair of the Compact Commission shall be voting members of the
34 Executive Committee;

35 (b) Five voting members from the current membership of the Compact Commission, elected
36 by the Compact Commission;

37 (c) One ex-officio, nonvoting member from a recognized professional association
38 representing dietitians; and

1 (d) One ex-officio, nonvoting member from a recognized national credentialing organization
2 for dietitians.

3 (3) The Compact Commission may remove any member of the Executive Committee as
4 provided in the Compact Commission's bylaws.

5 (4) (a) The Executive Committee shall meet at least annually.

6 (b) Executive Committee meetings shall be open to the public, except that the Executive
7 Committee may meet in a closed, non-public meeting as provided in subdivision (2) of subsection 6
8 of this section.

9 (c) The Executive Committee shall give 30 days' notice of its meetings, posted on the
10 website of the Compact Commission and as determined to provide notice to persons with an interest
11 in the business of the Compact Commission.

12 (d) The Executive Committee may hold a special meeting in accordance with paragraph (c)
13 of subdivision (1) of subsection 6 of this section.

14 5. The Compact Commission shall adopt and provide to the Member States an annual
15 report.

16 6. (1) (a) All meetings shall be open to the public, except that the Compact Commission
17 may meet in a closed, non-public meeting as provided in subdivision (2) of this subsection.

18 (b) Public notice for all meetings of the full Compact Commission shall be given in the
19 same manner as required under the rulemaking provisions in section 324.1845, except that the
20 Compact Commission may hold a special meeting as provided in paragraph (c) of this subdivision.

21 (c) The Compact Commission may hold a special meeting when it must meet to conduct
22 emergency business by giving 24 hours' notice to all Member States, on the Compact Commission's
23 website, and other means as provided in the Compact Commission's Rules. The Compact
24 Commission's legal counsel shall certify that the Compact Commission's need to meet qualifies as
25 an emergency.

26 (2) The Compact Commission or the Executive Committee or other committees of the
27 Compact Commission may convene in a closed, non-public meeting for the Compact Commission
28 or Executive Committee or other committees of the Compact Commission to receive legal advice or
29 to discuss:

30 (a) Non-compliance of a Member State with its obligations under the Compact;

31 (b) The employment, compensation, discipline, or other matters, practices, or procedures
32 related to specific employees;

33 (c) Current or threatened discipline of a Licensee by the Compact Commission or by a
34 Member State's Licensing Authority;

35 (d) Current, threatened, or reasonably anticipated litigation;

36 (e) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

37 (f) Accusing any person of a crime or formally censuring any person;

38 (g) Trade secrets or commercial or financial information that is privileged or confidential;

1 (h) Information of a personal nature where disclosure would constitute a clearly
2 unwarranted invasion of personal privacy;

3 (i) Investigative records compiled for law enforcement purposes;

4 (j) Information related to any investigative reports prepared by or on behalf of or for use of
5 the Compact Commission or other committee charged with responsibility of investigation or
6 determination of compliance issues pursuant to the Compact;

7 (k) Matters specifically exempted from disclosure by federal or Member State law; or

8 (l) Other matters as specified in the Rules of the Compact Commission.

9 (3) If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the
10 meeting will be closed and reference each relevant exempting provision, and such reference shall be
11 recorded in the minutes.

12 (4) The Compact Commission shall keep minutes that fully and clearly describe all matters
13 discussed in a meeting and shall provide a full and accurate summary of actions taken, and the
14 reasons therefor, including a description of the views expressed. All documents considered in
15 connection with an action shall be identified in such minutes. All minutes and documents of a
16 closed meeting shall remain under seal, subject to release only by a majority vote of the Compact
17 Commission or order of a court of competent jurisdiction.

18 7. (1) The Compact Commission shall pay, or provide for the payment of, the reasonable
19 expenses of its establishment, organization, and ongoing activities.

20 (2) The Compact Commission may accept any and all appropriate revenue sources as
21 provided in subdivision (13) of subsection 3 of this section.

22 (3) The Compact Commission may levy on and collect an annual assessment from each
23 Member State and impose fees on Licensees of Member States to whom it grants a Compact
24 Privilege to cover the cost of the operations and activities of the Compact Commission and its staff,
25 which must, in a total amount, be sufficient to cover its annual budget as approved each year for
26 which revenue is not provided by other sources. The aggregate annual assessment amount for
27 Member States shall be allocated based upon a formula that the Compact Commission shall
28 promulgate by Rule.

29 (4) The Compact Commission shall not incur obligations of any kind prior to securing the
30 funds adequate to meet the same; nor shall the Compact Commission pledge the credit of any of the
31 Member States, except by and with the authority of the Member State.

32 (5) The Compact Commission shall keep accurate accounts of all receipts and
33 disbursements. The receipts and disbursements of the Compact Commission shall be subject to the
34 financial review and accounting procedures established under its bylaws. However, all receipts and
35 disbursements of funds handled by the Compact Commission shall be subject to an annual financial
36 review by a certified or licensed public accountant, and the report of the financial review shall be
37 included in and become part of the annual report of the Compact Commission.

38 8. (1) The members, officers, executive director, employees and representatives of the
39 Compact Commission shall be immune from suit and liability, both personally and in their official

1 capacity, for any claim for damage to or loss of property or personal injury or other civil liability
2 caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the
3 person against whom the claim is made had a reasonable basis for believing occurred within the
4 scope of Compact Commission employment, duties, or responsibilities; provided that nothing in this
5 subdivision shall be construed to protect any such person from suit or liability for any damage, loss,
6 injury, or liability caused by the intentional or willful or wanton misconduct of that person. The
7 procurement of insurance of any type by the Compact Commission shall not in any way
8 compromise or limit the immunity granted hereunder.

9 (2) The Compact Commission shall defend any member, officer, executive director,
10 employee, and representative of the Compact Commission in any civil action seeking to impose
11 liability arising out of any actual or alleged act, error, or omission that occurred within the scope of
12 Compact Commission employment, duties, or responsibilities, or as determined by the Compact
13 Commission that the person against whom the claim is made had a reasonable basis for believing
14 occurred within the scope of Compact Commission employment, duties, or responsibilities;
15 provided that nothing herein shall be construed to prohibit that person from retaining their own
16 counsel at their own expense; and provided further, that the actual or alleged act, error, or omission
17 did not result from that person's intentional or willful or wanton misconduct.

18 (3) The Compact Commission shall indemnify and hold harmless any member, officer,
19 executive director, employee, and representative of the Compact Commission for the amount of any
20 settlement or judgment obtained against that person arising out of any actual or alleged act, error, or
21 omission that occurred within the scope of Compact Commission employment, duties, or
22 responsibilities, or that such person had a reasonable basis for believing occurred within the scope of
23 Compact Commission employment, duties, or responsibilities, provided that the actual or alleged
24 act, error, or omission did not result from the intentional or willful or wanton misconduct of that
25 person.

26 (4) Nothing herein shall be construed as a limitation on the liability of any Licensee for
27 professional malpractice or misconduct, which shall be governed solely by any other applicable
28 State laws.

29 (5) Nothing in this Compact shall be interpreted to waive or otherwise abrogate a Member
30 State's state action immunity or state action affirmative defense with respect to antitrust claims
31 under the Sherman Act, Clayton Act, or any other State or federal antitrust or anticompetitive law or
32 regulation.

33 (6) Nothing in this Compact shall be construed to be a waiver of sovereign immunity by the
34 Member States or by the Compact Commission.

35 324.1840. 1. The Compact Commission shall provide for the development, maintenance,
36 operation, and utilization of a coordinated Data System.

37 2. The Compact Commission shall assign each applicant for a Compact Privilege a unique
38 identifier, as determined by the Rules.

1 3. Notwithstanding any other provision of State law to the contrary, a Member State shall
 2 submit a uniform data set to the Data System on all individuals to whom this Compact is applicable
 3 as required by the Rules of the Compact Commission, including:

4 (1) Identifying information;

5 (2) Licensure data;

6 (3) Adverse Actions against a License or Compact Privilege and information related thereto;

7 (4) Non-confidential information related to Alternative Program participation, the beginning
 8 and ending dates of such participation, and other information related to such participation not made
 9 confidential under Member State law;

10 (5) Any denial of application for licensure, and the reason or reasons for such denial;

11 (6) The presence of Current Significant Investigative Information; and

12 (7) Other information that may facilitate the administration of this Compact or the
 13 protection of the public, as determined by the Rules of the Compact Commission.

14 4. The records and information provided to a Member State pursuant to this Compact or
 15 through the Data System, when certified by the Compact Commission or an agent thereof, shall
 16 constitute the authenticated business records of the Compact Commission, and shall be entitled to
 17 any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative
 18 proceedings in a Member State.

19 5. Current Significant Investigative Information pertaining to a Licensee in any Member
 20 State will only be available to other Member States.

21 6. It is the responsibility of the Member States to report any Adverse Action against a
 22 Licensee and to monitor the Data System to determine whether any Adverse Action has been taken
 23 against a Licensee. Adverse Action information pertaining to a Licensee in any Member State will
 24 be available to any other Member State.

25 7. Member States contributing information to the Data System may designate information
 26 that may not be shared with the public without the express permission of the contributing State.

27 8. Any information submitted to the Data System that is subsequently expunged pursuant to
 28 federal law or the laws of the Member State contributing the information shall be removed from the
 29 Data System.

30 324.1845. 1. The Compact Commission shall promulgate reasonable Rules in order to
 31 effectively and efficiently implement and administer the purposes and provisions of the Compact. A
 32 Rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that
 33 the Rule is invalid because the Compact Commission exercised its rulemaking authority in a manner
 34 that is beyond the scope and purposes of the Compact, or the powers granted hereunder, or based
 35 upon another applicable standard of review.

36 2. The Rules of the Compact Commission shall have the force of law in each Member State,
 37 provided however that where the Rules conflict with the laws or regulations of a Member State that
 38 relate to the procedures, actions, and processes a Licensed Dietitian is permitted to undertake in that
 39 State and the circumstances under which they may do so, as held by a court of competent

1 jurisdiction, the Rules of the Compact Commission shall be ineffective in that State to the extent of
2 the conflict.

3 3. The Compact Commission shall exercise its rulemaking powers pursuant to the criteria
4 set forth in this Section and the Rules adopted thereunder. Rules shall become binding on the day
5 following adoption or as of the date specified in the Rule or amendment, whichever is later.

6 4. If a majority of the legislatures of the Member States rejects a Rule or portion of a Rule,
7 by enactment of a statute or resolution in the same manner used to adopt the Compact within four
8 (4) years of the date of adoption of the Rule, then such Rule shall have no further force and effect in
9 any Member State.

10 5. Rules shall be adopted at a regular or special meeting of the Compact Commission.

11 6. Prior to adoption of a proposed Rule, the Compact Commission shall hold a public
12 hearing and allow persons to provide oral and written comments, data, facts, opinions, and
13 arguments.

14 7. Prior to adoption of a proposed Rule by the Compact Commission, and at least thirty (30)
15 days in advance of the meeting at which the Compact Commission will hold a public hearing on the
16 proposed Rule, the Compact Commission shall provide a Notice of Proposed rulemaking:

17 (1) On the website of the Compact Commission or other publicly accessible platform;

18 (2) To persons who have requested notice of the Compact Commission's notices of proposed
19 rulemaking; and

20 (3) In such other way or ways as the Compact Commission may by Rule specify.

21 8. The Notice of Proposed rulemaking shall include:

22 (1) The time, date, and location of the public hearing at which the Compact Commission
23 will hear public comments on the proposed Rule and, if different, the time, date, and location of the
24 meeting where the Compact Commission will consider and vote on the proposed Rule;

25 (2) If the hearing is held via telecommunication, video conference, or other means of
26 communication, the Compact Commission shall include the mechanism for access to the hearing in
27 the Notice of Proposed rulemaking;

28 (3) The text of the proposed Rule and the reason therefor;

29 (4) A request for comments on the proposed Rule from any interested person; and

30 (5) The manner in which interested persons may submit written comments.

31 9. All hearings will be recorded. A copy of the recording and all written comments and
32 documents received by the Compact Commission in response to the proposed Rule shall be
33 available to the public.

34 10. Nothing in this Section shall be construed as requiring a separate hearing on each Rule.
35 Rules may be grouped for the convenience of the Compact Commission at hearings required by this
36 Section.

37 11. (1) The Compact Commission shall, by majority vote of all members, take final action
38 on the proposed Rule based on the rulemaking record and the full text of the Rule.

1 (2) The Compact Commission may adopt changes to the proposed Rule provided the
 2 changes do not enlarge the original purpose of the proposed Rule.

3 (3) The Compact Commission shall provide an explanation of the reasons for substantive
 4 changes made to the proposed Rule as well as reasons for substantive changes not made that were
 5 recommended by commenters.

6 (4) The Compact Commission shall determine a reasonable effective date for the Rule.
 7 Except for an emergency as provided in subsection 12 of this section, the effective date of the Rule
 8 shall be no sooner than 30 days after issuing the notice that it adopted or amended the Rule.

9 12. Upon determination that an emergency exists, the Compact Commission may consider
 10 and adopt an emergency Rule with 24 hours' notice, with opportunity to comment, provided that the
 11 usual rulemaking procedures provided in the Compact and in this Section shall be retroactively
 12 applied to the Rule as soon as reasonably possible, in no event later than ninety (90) days after the
 13 effective date of the Rule. For the purposes of this provision, an emergency Rule is one that must be
 14 adopted immediately in order to:

15 (1) Meet an imminent threat to public health, safety, or welfare;

16 (2) Prevent a loss of Compact Commission or Member State funds;

17 (3) Meet a deadline for the promulgation of a Rule that is established by federal law or rule;

18 or

19 (4) Protect public health and safety.

20 13. The Compact Commission or an authorized committee of the Compact Commission
 21 may direct revision to a previously adopted Rule for purposes of correcting typographical errors,
 22 errors in format, errors in consistency, or grammatical errors. Public notice of any revision shall be
 23 posted on the website of the Compact Commission. The revision shall be subject to challenge by
 24 any person for a period of thirty (30) days after posting. The revision may be challenged only on
 25 grounds that the revision results in a material change to a Rule. A challenge shall be made in
 26 writing and delivered to the Compact Commission prior to the end of the notice period. If no
 27 challenge is made, the revision will take effect without further action. If the revision is challenged,
 28 the revision may not take effect without the approval of the Compact Commission.

29 14. No Member State's rulemaking requirements shall apply under this Compact.

30 324.1850. 1. (1) The executive and judicial branches of State government in each Member
 31 State shall enforce this Compact and take all actions necessary and appropriate to implement this
 32 Compact.

33 (2) Except as otherwise provided in this Compact, venue is proper and judicial proceedings
 34 by or against the Compact Commission shall be brought solely and exclusively in a court of
 35 competent jurisdiction where the principal office of the Compact Commission is located. The
 36 Compact Commission may waive venue and jurisdictional defenses to the extent it adopts or
 37 consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or
 38 limit the selection or propriety of venue in any action against a Licensee for professional
 39 malpractice, misconduct, or any such similar matter.

1 (3) The Compact Commission shall be entitled to receive service of process in any
2 proceeding regarding the enforcement or interpretation of the Compact and shall have standing to
3 intervene in such a proceeding for all purposes. Failure to provide the Compact Commission
4 service of process shall render a judgment or order void as to the Compact Commission, this
5 Compact, or promulgated Rules.

6 2. (1) If the Compact Commission determines that a Member State has defaulted in the
7 performance of its obligations or responsibilities under this Compact or the promulgated Rules, the
8 Compact Commission shall provide written notice to the defaulting State. The notice of default
9 shall describe the default, the proposed means of curing the default, and any other action that the
10 Compact Commission may take and shall offer training and specific technical assistance regarding
11 the default.

12 (2) The Compact Commission shall provide a copy of the notice of default to the other
13 Member States.

14 3. If a State in default fails to cure the default, the defaulting State may be terminated from
15 the Compact upon an affirmative vote of a majority of the delegates of the Member States, and all
16 rights, privileges, and benefits conferred on that State by this Compact may be terminated on the
17 effective date of termination. A cure of the default does not relieve the offending State of
18 obligations or liabilities incurred during the period of default.

19 4. Termination of membership in the Compact shall be imposed only after all other means of
20 securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given
21 by the Compact Commission to the governor, the majority and minority leaders of the defaulting
22 State's legislature, the defaulting State's Licensing Authority, and each of the Member States'
23 Licensing Authority.

24 5. A State that has been terminated is responsible for all assessments, obligations, and
25 liabilities incurred through the effective date of termination, including obligations that extend
26 beyond the effective date of termination.

27 6. Upon the termination of a State's membership from this Compact, that State shall
28 immediately provide notice to all Licensees within that State of such termination. The terminated
29 State shall continue to recognize all Compact Privileges granted pursuant to this Compact for a
30 minimum of six months after the date of said notice of termination.

31 7. The Compact Commission shall not bear any costs related to a State that is found to be in
32 default or that has been terminated from the Compact, unless agreed upon in writing between the
33 Compact Commission and the defaulting State.

34 8. The defaulting State may appeal the action of the Compact Commission by petitioning
35 the U.S. District Court for the District of Columbia or the federal district where the Compact
36 Commission has its principal offices. The prevailing party shall be awarded all costs of such
37 litigation, including reasonable attorney's fees.

1 9. (1) Upon request by a Member State, the Compact Commission shall attempt to resolve
2 disputes related to the Compact that arise among Member States and between Member and non-
3 Member States.

4 (2) The Compact Commission shall promulgate a Rule providing for both mediation and
5 binding dispute resolution for disputes as appropriate.

6 10. (1) By supermajority vote, the Compact Commission may initiate legal action against a
7 Member State in default in the United States District Court for the District of Columbia or the
8 federal district where the Compact Commission has its principal offices to enforce compliance with
9 the provisions of the Compact and its promulgated Rules. The relief sought may include both
10 injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party
11 shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies
12 herein shall not be the exclusive remedies of the Compact Commission. The Compact Commission
13 may pursue any other remedies available under federal or the defaulting Member State's law.

14 (2) A Member State may initiate legal action against the Compact Commission in the U.S.
15 District Court for the District of Columbia or the federal district where the Compact Commission
16 has its principal offices to enforce compliance with the provisions of the Compact and its
17 promulgated Rules. The relief sought may include both injunctive relief and damages. In the event
18 judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation,
19 including reasonable attorney's fees.

20 (3) No party other than a Member State shall enforce this Compact against the Compact
21 Commission.

22 324.1855. 1. (1) The Compact shall come into effect on the date on which the Compact
23 statute is enacted into law in the seventh Member State.

24 (2) (a) On or after the effective date of the Compact, the Compact Commission shall
25 convene and review the enactment of each of the first seven Member States ("Charter Member
26 States") to determine if the statute enacted by each such Charter Member State is materially
27 different than the model Compact statute.

28 (b) A Charter Member State whose enactment is found to be materially different from the
29 model Compact statute shall be entitled to the default process set forth in section 324.1850.

30 (c) If any Member State is later found to be in default, or is terminated, or withdraws from
31 the Compact, the Compact Commission shall remain in existence and the Compact shall remain in
32 effect even if the number of Member States should be less than seven.

33 (3) Member States enacting the Compact subsequent to the seven initial Charter Member
34 States shall be subject to the process set forth in subdivision (21) of subsection 3 of section
35 324.1835 to determine if their enactments are materially different from the model Compact statute
36 and whether they qualify for participation in the Compact.

37 (4) All actions taken for the benefit of the Compact Commission or in furtherance of the
38 purposes of the administration of the Compact prior to the effective date of the Compact or the

1 Compact Commission coming into existence shall be considered to be actions of the Compact
2 Commission unless specifically repudiated by the Compact Commission.

3 (5) Any State that joins the Compact subsequent to the Compact Commission's initial
4 adoption of the Rules and bylaws shall be subject to the Rules and bylaws as they exist on the date
5 on which the Compact becomes law in that State. Any Rule that has been previously adopted by the
6 Compact Commission shall have the full force and effect of law on the day the Compact becomes
7 law in that State.

8 2. (1) Any Member State may withdraw from this Compact by enacting a statute repealing
9 the same.

10 (2) A Member State's withdrawal shall not take effect until 180 days after enactment of the
11 repealing statute.

12 (3) Withdrawal shall not affect the continuing requirement of the withdrawing State's
13 Licensing Authority to comply with the investigative and Adverse Action reporting requirements of
14 this Compact prior to the effective date of withdrawal.

15 (4) Upon the enactment of a statute withdrawing from this Compact, a State shall
16 immediately provide notice of such withdrawal to all Licensees within that State. Notwithstanding
17 any subsequent statutory enactment to the contrary, such withdrawing State shall continue to
18 recognize all Compact Privileges granted pursuant to this Compact for a minimum of 180 days after
19 the date of such notice of withdrawal.

20 3. Nothing contained in this Compact shall be construed to invalidate or prevent any
21 licensure agreement or other cooperative arrangement between a Member State and a non-Member
22 State that does not conflict with the provisions of this Compact.

23 4. This Compact may be amended by the Member States. No amendment to this Compact
24 shall become effective and binding upon any Member State until it is enacted into the laws of all
25 Member States.

26 324.1860. 1. This Compact and the Compact Commission's rulemaking authority shall be
27 liberally construed so as to effectuate the purposes and the implementation and administration of the
28 Compact. Provisions of the Compact expressly authorizing or requiring the promulgation of Rules
29 shall not be construed to limit the Compact Commission's rulemaking authority solely for those
30 purposes.

31 2. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or
32 provision of this Compact is held by a court of competent jurisdiction to be contrary to the
33 constitution of any Member State, a State seeking participation in the Compact, or of the United
34 States, or the applicability thereof to any government, agency, person, or circumstance is held to be
35 unconstitutional by a court of competent jurisdiction, the validity of the remainder of this Compact
36 and the applicability thereof to any other government, agency, person, or circumstance shall not be
37 affected thereby.

38 3. Notwithstanding subsection 2 of this section, the Compact Commission may deny a
39 State's participation in the Compact or, in accordance with the requirements of subsection 2 of

1 section 324.1850, terminate a Member State's participation in the Compact, if it determines that a
2 constitutional requirement of a Member State is a material departure from the Compact. Otherwise,
3 if this Compact shall be held to be contrary to the constitution of any Member State, the Compact
4 shall remain in full force and effect as to the remaining Member States and in full force and effect as
5 to the Member State affected as to all severable matters.

6 324.1865. 1. Nothing herein shall prevent or inhibit the enforcement of any other law of a
7 Member State that is not inconsistent with the Compact.

8 2. Any laws, statutes, regulations, or other legal requirements in a Member State in conflict
9 with the Compact are superseded to the extent of the conflict.

10 3. All permissible agreements between the Compact Commission and the Member States
11 are binding in accordance with their terms.

12 326.257. 1. The Missouri state board of accountancy may require that fingerprint
13 submissions be made as part of an application seeking licensure as a certified public accountant and
14 a permit for a certified public accounting firm, as defined in section 326.256.

15 2. If the Missouri state board of accountancy requires that fingerprint submissions be made
16 as part of such application, the Missouri state board of accountancy shall require applicants to
17 submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and
18 federal fingerprint-based criminal history background check.

19 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
20 central repository. The fingerprints shall be used for searching the state criminal records repository
21 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
22 search under section 43.540. The Missouri state highway patrol shall notify the Missouri state board
23 of accountancy of any criminal history record information or lack of criminal history record
24 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
25 contrary, all records related to any criminal history information discovered shall be accessible and
26 available to the Missouri state board of accountancy.

27 330.025. 1. The state board of podiatric medicine may require that fingerprint submissions
28 be made as part of an application seeking a permanent license or a temporary license to practice
29 podiatric medicine, as provided in sections 330.045 and 330.065, or a permanent podiatric medicine
30 license with ankle certification, as such term is defined in subsection 4 of this section.

31 2. If the state board of podiatric medicine requires that fingerprint submissions be made as
32 part of such application, the state board of podiatric medicine shall require applicants to submit the
33 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
34 fingerprint-based criminal history background check.

35 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
36 central repository. The fingerprints shall be used for searching the state criminal records repository
37 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
38 search under section 43.540. The Missouri state highway patrol shall notify the state board of
39 podiatric medicine of any criminal history record information or lack of criminal history record

1 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
2 contrary, all records related to any criminal history information discovered shall be accessible and
3 available to the state board of podiatric medicine.

4 4. For purposes of this section, the term "permanent podiatric medicine license with ankle
5 certification" means a license issued to a doctor of podiatric medicine who has met the requirements
6 for performing surgery on the ankle as provided in section 330.010.

7 331.025. 1. The state board of chiropractic examiners may require that fingerprint
8 submissions be made as part of an application seeking licensure to engage in the practice of
9 chiropractic, as such term is defined in section 331.010.

10 2. If the state board of chiropractic examiners requires that fingerprint submissions be made
11 as part of such application, the state board of chiropractic examiners shall require applicants to
12 submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and
13 federal fingerprint-based criminal history background check.

14 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
15 central repository. The fingerprints shall be used for searching the state criminal records repository
16 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
17 search under section 43.540. The Missouri state highway patrol shall notify the state board of
18 chiropractic examiners of any criminal history record information or lack of criminal history record
19 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
20 contrary, all records related to any criminal history information discovered shall be accessible and
21 available to the state board of chiropractic examiners.

22 331.084. 1. The board may apply to the administrative hearing commission for an
23 emergency suspension or restriction of a license issued under this chapter if:

24 (1) The holder of the license is the subject of a pending criminal indictment, criminal
25 information, or other criminal charge related to the duties and responsibilities of the licensed
26 occupation; and

27 (2) There is reasonable cause for the board to believe that the public health, safety, or
28 welfare is at imminent risk of harm from the holder of the license.

29 2. The board shall submit to the administrative hearing commission supporting affidavits
30 and certified court records, together with a complaint alleging the facts in support of the board's
31 request for an emergency suspension or restriction of a license, and shall supply the administrative
32 hearing commission with the last home or business addresses on file with the board for the licensee.
33 Within one business day of the filing of the complaint, the administrative hearing commission shall
34 return a service packet to the board. The service packet shall include the board's complaint and any
35 affidavits or records the board intends to rely on that have been filed with the administrative hearing
36 commission. The service packet may contain other information in the discretion of the
37 administrative hearing commission. Within twenty-four hours of receiving the packet, the board
38 shall either personally serve the licensee the service packet or leave a copy of the service packet at
39 all of the licensee's current addresses on file with the board.

1 3. Within five days of the board's filing of the complaint, the administrative hearing
2 commission shall review the information submitted by the board and shall issue its findings of fact
3 and conclusions of law. If the administrative hearing commission finds that there is reasonable
4 cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm
5 from the holder of the license, the administrative hearing commission shall enter the order requested
6 by the board. The order shall be effective upon personal service or by leaving a copy at all of the
7 licensee's current addresses on file with the board.

8 4. (1) The administrative hearing commission shall hold an evidentiary hearing on the
9 record within forty-five days of the board's filing of the complaint, or upon final adjudication of any
10 criminal charges filed against the licensee, as appropriate, to determine if cause for discipline exists
11 under the provisions of this chapter and to determine whether the initial order entered by the
12 commission shall continue in effect. Prior to the hearing, the licensee may file affidavits and
13 certified court records for consideration by the administrative hearing commission. The
14 administrative hearing commission may grant a request for a continuance but shall in any event hold
15 the hearing within one hundred twenty days of the board's initial filing. The board shall be granted
16 leave to amend its complaint if it is more than thirty days prior to the hearing, or within thirty days
17 prior to the hearing upon a showing of good cause.

18 (2) If no cause for discipline is found following an evidentiary hearing, the administrative
19 hearing commission shall issue findings of fact, conclusions of law, and an order terminating the
20 commission's initial order imposing an emergency suspension or restriction of the license.

21 (3) If the administrative hearing commission finds cause for discipline following an
22 evidentiary hearing, the commission shall issue findings of fact and conclusions of law and order the
23 emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing
24 before the board. The board shall hold a hearing following the certification of the record by the
25 administrative hearing commission and may impose discipline otherwise authorized by state law.

26 5. Any action under this section shall be in addition to and not in lieu of any discipline
27 otherwise in the board's power to impose and may be brought concurrently with other actions.

28 6. If the administrative hearing commission does not grant an initial order imposing an
29 emergency suspension or restriction of the license as described in subsection 3 of this section, the
30 board shall remove all reference to such emergency suspension or restriction from its public records.

31 332.015. 1. The Missouri dental board may require that fingerprint submissions be made as
32 part of an application seeking licensure as a dentist, a dental specialist, a volunteer dentist, a
33 temporary dentist, a dental hygienist, or a volunteer dental hygienist, a limited dental teaching
34 license, and a dental faculty permit, as provided in sections 332.091, 332.112, 332.113, 332.171,
35 332.181, 332.183, 332.201, and 332.425.

36 2. If the Missouri dental board requires that fingerprint submissions be made as part of such
37 application, the Missouri dental board shall require applicants to submit the fingerprints to the
38 Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
39 criminal history background check.

1 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
2 central repository. The fingerprints shall be used for searching the state criminal records repository
3 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
4 search under section 43.540. The Missouri state highway patrol shall notify the Missouri dental
5 board of any criminal history record information or lack of criminal history record information
6 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
7 records related to any criminal history information discovered shall be accessible and available to
8 the Missouri dental board.

9 332.081. 1. Notwithstanding any other provision of law to the contrary, hospitals licensed
10 under chapter 197 shall be authorized to employ any or all of the following oral health providers:

11 (1) A dentist licensed under this chapter for the purpose of treating on hospital premises
12 those patients who present with a dental condition and such treatment is necessary to ameliorate the
13 condition for which they presented such as severe pain or tooth abscesses;

14 (2) An oral and maxillofacial surgeon licensed under this chapter for the purpose of treating
15 oral conditions that need to be ameliorated as part of treating the underlying cause of the patient's
16 medical needs including, but not limited to, head and neck cancer, HIV or AIDS, severe trauma
17 resulting in admission to the hospital, organ transplant, diabetes, or seizure disorders. It shall be a
18 condition of treatment that such patients are admitted to the hospital on either an in- or out-patient
19 basis; and

20 (3) A maxillofacial prosthodontist licensed under this chapter for the purpose of treating and
21 supporting patients of a head and neck cancer team or other complex care or surgical team for the
22 fabrication of appliances following ablative surgery, surgery to correct birth anomalies, extensive
23 radiation treatment of the head or neck, or trauma-related surgery.

24 2. No person or other entity shall practice dentistry in Missouri or provide dental services as
25 ~~defined~~ described in section 332.071 unless and until the board has issued to the person a
26 certificate certifying that the person has been duly registered as a dentist in Missouri or the board
27 has issued such certificate to an entity that has been duly registered to provide dental services by
28 licensed dentists and dental hygienists and unless and until the board has issued to the person a
29 license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental
30 hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental
31 services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

32 (1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty,
33 from extracting teeth;

34 (2) A dentist licensed in a state other than Missouri from making a clinical demonstration
35 before a meeting of dentists in Missouri;

36 (3) Dental students in any accredited dental school to practice dentistry under the personal
37 direction of instructors;

38 (4) Dental hygiene students in any accredited dental hygiene school to practice dental
39 hygiene under the personal direction of instructors;

1 (5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as
2 defined in section 332.091;

3 (6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be
4 delegated duties as defined in section 332.093;

5 (7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental
6 hygiene school;

7 (8) A person who has been granted a dental faculty permit under section 332.183 to practice
8 dentistry in the scope of his or her employment at an accredited dental school, college, or program
9 in Missouri;

10 (9) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in
11 connection with dental services or dental surgery;

12 (10) A person to practice dentistry in or for:

13 (a) The United States Armed Forces;

14 (b) The United States Public Health Service;

15 (c) Migrant, community, or health care for the homeless health centers provided in Section
16 330 of the Public Health Service Act (42 U.S.C. Section 254b);

17 (d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. Section
18 1396d(l)) of the Social Security Act;

19 (e) Governmental entities, including county health departments; or

20 (f) The United States Veterans Bureau; or

21 (11) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral,
22 written, or otherwise documented dental opinion when providing testimony or records for the
23 purpose of a civil or criminal action before any judicial or administrative proceeding of this state or
24 other forum in this state.

25 3. No corporation shall practice dentistry as defined in section 332.071 unless that
26 corporation is organized under the provisions of chapter 355 or 356 provided that a corporation
27 organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C.
28 Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render
29 dental services to Medicaid recipients, low-income individuals who have available income below
30 two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless
31 such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection
32 shall not apply to:

33 (1) A hospital licensed under chapter 197 that provides care and treatment only to children
34 under the age of eighteen at which a person regulated under this chapter provides dental care within
35 the scope of his or her license or registration;

36 (2) A federally qualified health center as defined in Section 1905(l) of the Social Security
37 Act (42 U.S.C. Section 1396d(l)), or a migrant, community, or health care for the homeless health
38 center provided for in Section 330 of the Public Health Services Act (42 U.S.C. Section 254b) at

1 which a person regulated under this chapter provides dental care within the scope of his or her
2 license or registration;

3 (3) A city or county health department organized under chapter 192 or chapter 205 at which
4 a person regulated under this chapter provides dental care within the scope of his or her license or
5 registration;

6 (4) A social welfare board organized under section 205.770, a city health department
7 operating under a city charter, or a city-county health department at which a person regulated under
8 this chapter provides dental care within the scope of his or her license or registration;

9 (5) Any entity that has received a permit from the dental board and does not receive
10 compensation from the patient or from any third party on the patient's behalf at which a person
11 regulated under this chapter provides dental care within the scope of his or her license or
12 registration; or

13 (6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the
14 Internal Revenue Code, as amended, that engages in its operations and provides dental services at
15 facilities owned by a city, county, or other political subdivision of the state, or any entity contracted
16 with the state to provide care in a correctional center, as such term is defined in section 217.010, at
17 which a person regulated under this chapter provides dental care within the scope of his or her
18 license or registration.

19
20 If any of the entities exempted from the requirements of this subsection are unable to provide
21 services to a patient due to the lack of a qualified provider and a referral to another entity is made,
22 the exemption shall extend to the person or entity that subsequently provides services to the patient.

23 4. No unincorporated organization shall practice dentistry as defined in section 332.071
24 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal
25 Revenue Code of 1986, as amended, and provides dental treatment without compensation from the
26 patient or any third party on their behalf as a part of a broader program of social services including
27 food distribution. Nothing in this chapter shall prohibit organizations under this subsection from
28 employing any person regulated by this chapter.

29 5. A dentist shall not enter into a contract that allows a person who is not a dentist to
30 influence or interfere with the exercise of the dentist's independent professional judgment.

31 6. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying
32 as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating
33 pursuant to subsection 4 of this section, or any other person should not direct or interfere or attempt
34 to direct or interfere with a licensed dentist's professional judgment and competent practice of
35 dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit
36 organizations to enforce employment contracts, corporate policy and procedure manuals, or quality
37 improvement or assurance requirements.

38 7. All entities defined in subsection 3 of this section and those exempted under subsection 4
39 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state

1 to render dental services, and the entity shall apply for the permit in writing on forms provided by
2 the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal
3 of such permit. The provisions of this subsection shall not apply to a federally qualified health
4 center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. Section 1396d(l)).

5 8. Any entity that obtains a permit to render dental services in this state is subject to
6 discipline pursuant to section 332.321. If the board concludes that the person or entity has
7 committed an act or is engaging in a course of conduct that would be grounds for disciplinary
8 action, the board may file a complaint before the administrative hearing commission. The board
9 may refuse to issue or renew the permit of any entity for one or any combination of causes stated in
10 subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for
11 the refusal and shall advise the applicant of his or her right to file a complaint with the
12 administrative hearing commission as provided by chapter 621.

13 9. A federally qualified health center as defined in Section 1905(l) of the Social Security
14 Act (42 U.S.C. Section 1396d(l)) shall register with the board. The information provided to the
15 board as part of the registration shall include the name of the health center, the nonprofit status of
16 the health center, sites where dental services will be provided, and the names of all persons
17 employed by, or contracting with, the health center who are required to hold a license pursuant to
18 this chapter. The registration shall be renewed every twenty-four months. The board shall not
19 charge a fee of any kind for the issuance or renewal of the registration. The registration of the
20 health center shall not be subject to discipline pursuant to section 332.321. Nothing in this
21 subsection shall prohibit disciplinary action against a licensee of this chapter who is employed by, or
22 contracts with, such health center for the actions of the licensee in connection with such
23 employment or contract.

24 10. The board may promulgate rules and regulations to ensure not-for-profit corporations
25 are rendering care to the patient populations as set forth herein, including requirements for covered
26 not-for-profit corporations to report patient census data to the board. The provisions of this
27 subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the
28 Social Security Act (42 U.S.C. Section 1396d(l)).

29 11. All not-for-profit corporations organized or operated pursuant to the provisions of
30 chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the
31 requirements relating to migrant, community, or health care for the homeless health centers provided
32 in Section 330 of the Public Health Service Act (42 U.S.C. Section 254b) and federally qualified
33 health centers as defined in Section 1905(l) (42 U.S.C. Section 1396d(l)) of the Social Security Act,
34 that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance
35 with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent
36 with, federal statute or regulation.

37 333.041. 1. ~~Each applicant for a license to practice funeral directing shall furnish evidence~~
38 ~~to establish to the satisfaction of the board that he or she is at least eighteen years of age, and~~

1 ~~possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as~~
2 ~~determined, at its discretion, by the board.~~

3 2.] Every person desiring to enter the profession of embalming dead human bodies within
4 the state of Missouri and who is enrolled in a program of education accredited by the American
5 Board of Funeral Service Education, any successor organization, or other accrediting entity as
6 approved by the board shall register with the board as a practicum student upon the form [~~provided~~
7 approved] by the board. [~~After such registration, a student may assist, under the direct supervision of~~
8 ~~Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments,~~
9 ~~while serving his or her practicum.] The form for registration as a practicum student shall be
10 accompanied by a fee in an amount established by the board. After a student's registration has been
11 approved by the board, a practicum student registrant may assist, under the direct supervision of an
12 embalmer licensed under this chapter, in an establishment licensed under this chapter. Practicum
13 student registrants shall not assist when not under such supervision. Each practicum student
14 registrant is authorized to work only at the location or locations registered with the board and under
15 only those supervisors registered with the board.~~

16 [3. ~~Each applicant for a license to practice embalming shall furnish evidence to establish to~~
17 ~~the satisfaction of the board that he or she:~~

18 (1) ~~Is at least eighteen years of age, and possesses a high school diploma, a general~~
19 ~~equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;~~

20 (2) ~~Has completed a funeral service education program accredited by the American Board~~
21 ~~of Funeral Service Education, any successor organization, or other accrediting entity as approved by~~
22 ~~the board. If an applicant does not complete all requirements for licensure within five years from~~
23 ~~the date of his or her completion of an accredited program, his or her registration as an apprentice~~
24 ~~embalmer shall be automatically cancelled. The applicant shall be required to file a new application~~
25 ~~and pay applicable fees. No previous apprenticeship shall be considered for the new application;~~

26 (3) ~~Upon due examination administered by the board, is possessed of a knowledge of the~~
27 ~~subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry,~~
28 ~~restorative art, together with statutes, rules and regulations governing the care, custody, shelter and~~
29 ~~disposition of dead human bodies and the transportation thereof or has passed the national board~~
30 ~~examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass~~
31 ~~the state examination, he or she may retake the examination at the next regular examination~~
32 ~~meeting. The applicant shall notify the board office of his or her desire to retake the examination at~~
33 ~~least thirty days prior to the date of the examination. Each time the examination is retaken, the~~
34 ~~applicant shall pay a new examination fee in an amount established by the board;~~

35 (4) ~~Has been employed full time in funeral service in a licensed funeral establishment and~~
36 ~~has personally embalmed at least twenty-five dead human bodies under the personal supervision of~~
37 ~~an embalmer who holds a current and valid Missouri embalmer's license during an apprenticeship of~~
38 ~~not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer~~
39 ~~shall be physically present during the entire embalming process in the first six months of the~~

1 ~~apprenticeship period and physically present at the beginning of the embalming process and~~
2 ~~available for consultation and personal inspection within a period of not more than one hour in the~~
3 ~~remaining six months of the apprenticeship period. All transcripts and other records filed with the~~
4 ~~board shall become a part of the board files.~~

5 4.] 2. Except as otherwise provided in this section, an applicant not entitled to an
6 embalmer's license under section 333.051 or 324.009 shall make application for such license. Each
7 applicant for an initial license to practice embalming shall furnish evidence to establish to the
8 satisfaction of the board that he or she:

9 (1) Is eighteen years of age or older;

10 (2) Possesses a high school diploma, a general equivalency diploma, or equivalent thereof,
11 as determined, at its discretion, by the board;

12 (3) Has completed a funeral service education program accredited by the American Board
13 of Funeral Service Education, any successor organization, or other accrediting entity as approved by
14 the board;

15 (4) Received passing scores on the National Board Examination-Sciences and the Missouri
16 law examination administered by the International Conference of Funeral Service Examining
17 Boards, any successor organization, or other organization approved by the board; and

18 (5) Has been employed in a qualifying embalmer's apprentice program as defined by the
19 board for no less than six months and has personally embalmed at least twenty-five dead human
20 bodies under the supervision of an embalmer who is licensed under this chapter. The first twelve of
21 the embalmings shall be conducted under the direct supervision of the licensed embalmer. For
22 purposes of this subdivision, a "qualifying embalmer's apprentice program" is a program in which
23 the apprentice completed the minimum number of hours required by the board and, as attested to by
24 the supervising licensed embalmer, obtained the minimal required skills to practice embalming. For
25 purposes of this subdivision, "direct supervision" shall mean supervision in which the licensed
26 embalmer is physically present with the apprentice embalmer and the dead human body at the
27 beginning of the embalming process and available for consultation within one hour for the
28 remainder of the embalming process. The licensed embalmer shall inspect all bodies embalmed by
29 the apprentice embalmer.

30 3. Upon written request to the board, any person licensed under this section may, at his or
31 her election, at any time, sit for the National Board Examination-Arts administered by the
32 International Conference of Funeral Service Examining Boards, any successor organization, or other
33 organization approved by the board if such person has not previously passed such examination.

34 4. If the applicant does not complete the application process within the five years after his or
35 her completion of an approved program, then he or she must file a new application and no fees paid
36 previously shall apply toward the license fee.

37 ~~5. Examinations required by this section and section 333.042 shall be held at least twice a~~
38 ~~year at times and places fixed by the board. The board shall by rule and regulation prescribe the~~
39 ~~standard for successful completion of the examinations.~~

1 ~~6. Upon establishment of his or her qualifications as specified by this section or section~~
 2 ~~333.042, the board shall issue to the applicant a license to practice funeral directing or embalming,~~
 3 ~~as the case may require, and shall register the applicant as a duly licensed funeral director or a duly~~
 4 ~~licensed embalmer.] Any person having the qualifications required by this section and section~~
 5 ~~333.042 may be granted both a license to practice funeral directing and to practice embalming.~~

6 ~~[7. The board shall, upon request, waive any requirement of this chapter and issue a~~
 7 ~~temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or~~
 8 ~~the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or~~
 9 ~~conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.~~

10]

11 ~~333.042. 1. [Every person desiring to enter the profession of funeral directing in this state~~
 12 ~~shall make application with the state board of embalmers and funeral directors and pay the current~~
 13 ~~application and examination fees. Except as otherwise provided in section 41.950, applicants not~~
 14 ~~entitled to a license pursuant to section 333.051 or 324.009 shall serve an apprenticeship for at least~~
 15 ~~twelve consecutive months in a funeral establishment licensed for the care and preparation for burial~~
 16 ~~and transportation of the human dead in this state or in another state which has established standards~~
 17 ~~for admission to practice funeral directing equal to, or more stringent than, the requirements for~~
 18 ~~admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours~~
 19 ~~per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral~~
 20 ~~director. Such applicant shall submit proof to the board, on forms provided by the board, that the~~
 21 ~~applicant has arranged and conducted ten funeral services during the applicant's apprenticeship~~
 22 ~~under the supervision of a Missouri licensed funeral director. Upon completion of the~~
 23 ~~apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and~~
 24 ~~practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the~~
 25 ~~care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the~~
 26 ~~application and fees by the board, an applicant shall have twenty-four months to successfully~~
 27 ~~complete the requirements for licensure found in this section or the application for licensure shall be~~
 28 ~~cancelled.~~

29 ~~2. If a person applies for a limited license to work only in a funeral establishment which is~~
 30 ~~licensed only for cremation, including transportation of dead human bodies to and from the funeral~~
 31 ~~establishment, he or she shall make application, pay the current application and examination fee and~~
 32 ~~successfully complete the Missouri law examination. He or she shall be exempt from the twelve-~~
 33 ~~month apprenticeship required by subsection 1 of this section and the practical examination before~~
 34 ~~the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a~~
 35 ~~full funeral director's license if he or she fulfills the apprenticeship and successfully completes the~~
 36 ~~funeral director practical examination.~~

37 ~~3. If an individual is a Missouri licensed embalmer or has completed a program accredited~~
 38 ~~by the American Board of Funeral Service Education, any successor organization, or other~~
 39 ~~accrediting entity as approved by the board or has successfully completed a course of study in~~

1 ~~funeral directing offered by an institution accredited by a recognized national, regional or state~~
 2 ~~accrediting body and approved by the state board of embalmers and funeral directors, and desires to~~
 3 ~~enter the profession of funeral directing in this state, the individual shall comply with all the~~
 4 ~~requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and~~
 5 ~~subsection 1 of this section; however, the individual is exempt from the twelve-month~~
 6 ~~apprenticeship required by subsection 1 of this section.] Except as otherwise provided in this~~
 7 ~~section, an applicant for a funeral director license not entitled to a license under section 333.051 or~~
 8 ~~324.009 shall make application for an initial license to practice funeral directing and shall furnish~~
 9 ~~evidence to establish to the satisfaction of the board that he or she:~~

10 (1) Is eighteen years of age or older;

11 (2) Possesses a high school diploma, a general equivalency diploma, or equivalent thereof,
 12 as determined, at its discretion, by the board; and

13 (3) Has either:

14 (a) Completed a funeral service education program accredited by the American Board of
 15 Funeral Service Education, any successor organization, or other accrediting entity as approved by
 16 the board and received passing scores on the National Board Examination-Arts and the Missouri law
 17 examination. The board may accept, in lieu of a passing score on the National Board Examination-
 18 Arts, a passing score on an administration of the Missouri arts examination that occurred before the
 19 International Conference of Funeral Service Examining Boards ended all administrations of the
 20 Missouri arts examination on January 1, 2023; or

21 (b) Made application for a funeral director provisional license and successfully either:

22 a. Within twenty-four months of receipt of the provisional license:

23 (i) Completed a twelve-month qualifying funeral director apprentice program as determined
 24 by the board during which the applicant arranged and conducted ten funeral services. Such program
 25 shall be under the personal supervision of a funeral director licensed under this chapter and in a
 26 Missouri funeral establishment licensed for the care and preparation for burial and transportation of
 27 the human dead in this state; and

28 (ii) Received passing scores on the National Board Examination-Arts and the Missouri law
 29 examination. The board may accept, in lieu of a passing score on the National Board Examination-
 30 Arts, a passing score on an administration of the Missouri arts examination that occurred before the
 31 International Conference of Funeral Service Examining Boards ended all administrations of the
 32 Missouri arts examination on January 1, 2023; or

33 b. Within thirty-six months of receipt of the provisional license:

34 (i) Completed an eighteen-month qualifying funeral director apprentice program as
 35 determined by the board during which the applicant arranged and conducted twenty-five funeral
 36 services. Such program shall be under the personal supervision of a funeral director licensed under
 37 this chapter and in a Missouri funeral establishment licensed for the care and preparation for burial
 38 and transportation of the human dead in this state; and

39 (ii) Received a passing score on the Missouri law examination.

1 2. Any person holding a provisional license shall be eligible, upon written request to the
2 board, to sit for the National Board Examination-Arts and the Missouri law examination at any time
3 during the period in which his or her provisional license is effective.

4 3. Any licensed funeral director who has not previously sat for the National Board
5 Examination-Arts may, at his or her election and upon written request to the board, sit for the
6 examination.

7 4. A person may apply for a limited license to work only in a funeral establishment licensed
8 for cremation. A person holding a limited funeral director license may perform duties related to
9 cremation. To qualify for a limited funeral director license, an applicant shall be eighteen years of
10 age or older and shall make application with the board, pay applicable fees, and successfully
11 complete the Missouri law examination. Completion of a qualifying funeral director apprentice
12 program shall not be required to obtain a limited funeral director license.

13 5. The board shall, at its discretion and upon written request, waive individual funeral
14 director licensure requirements for up to six months if there is an absence of a funeral director in
15 charge due to the death or disability of the licensed funeral director and there is no other licensed
16 funeral director available to discharge the director's duties. A waiver under this subsection shall
17 allow the spouse, next of kin, personal representative, or conservator of the absent director to
18 conduct business until a licensed funeral director can be obtained or business arrangements are
19 made to close or sell the establishment. The waiver shall not allow for any services to be provided
20 for which formal funeral service education is required.

21 6. As used in this section, the following terms mean:

22 (1) "Personal supervision", supervision in which the licensed funeral director shall be
23 physically present during any arrangement conferences and present for the first five funeral services
24 conducted by the apprentice. The supervising licensed funeral director shall not be required to be
25 present when the apprentice performs any other functions relating to the practice of funeral directing
26 but shall be available within one hour for consultation;

27 (2) "Qualifying funeral director apprentice program", a program that meets the minimum
28 hour requirements for funeral directing tasks as set by the board and in which the supervising
29 funeral director has attested that the apprentice has obtained the minimal required skills to practice
30 funeral directing.

31 334.015. 1. The state board of registration for the healing arts may require that fingerprint
32 submissions be made as part of an application for a permanent license, temporary license, or limited
33 license as a physician and assistant physician, as provided in sections 334.035, 334.036, 334.045,
34 334.046, and 334.112.

35 2. If the state board of registration for the healing arts requires that fingerprint submissions
36 be made as part of such application, the state board of registration for the healing arts shall require
37 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
38 conducting a state and federal fingerprint-based criminal history background check.

1 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
2 central repository. The fingerprints shall be used for searching the state criminal records repository
3 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
4 search under section 43.540. The Missouri state highway patrol shall notify the state board of
5 registration for the healing arts of any criminal history record information or lack of criminal history
6 record information discovered on the individual. Notwithstanding the provisions of section 610.120
7 to the contrary, all records related to any criminal history information discovered shall be accessible
8 and available to the state board of registration for the healing arts.

9 334.403. 1. The state board of registration for the healing arts may require that fingerprint
10 submissions be made as part of an application seeking licensure as an anesthesiologist assistant, as
11 such term is defined in section 334.400, or a temporary license to practice as an anesthesiologist
12 assistant, as provided in section 334.406.

13 2. If the state board of registration for the healing arts requires that fingerprint submissions
14 be made as part of such application, the state board of registration for the healing arts shall require
15 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
16 conducting a state and federal fingerprint-based criminal history background check.

17 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
18 central repository. The fingerprints shall be used for searching the state criminal records repository
19 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
20 search under section 43.540. The Missouri state highway patrol shall notify the state board of
21 registration for the healing arts of any criminal history record information or lack of criminal history
22 record information discovered on the individual. Notwithstanding the provisions of section 610.120
23 to the contrary, all records related to any criminal history information discovered shall be accessible
24 and available to the state board of registration for the healing arts.

25 334.501. 1. The state board of registration for the healing arts may require that fingerprint
26 submissions be made as part of an application seeking a license or temporary license as a physical
27 therapist or physical therapist assistant, as such terms are defined in section 334.500 and as provided
28 in section 334.550.

29 2. If the state board of registration for the healing arts requires that fingerprint submissions
30 be made as part of such application, the state board of registration for the healing arts shall require
31 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
32 conducting a state and federal fingerprint-based criminal history background check.

33 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
34 central repository. The fingerprints shall be used for searching the state criminal records repository
35 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
36 search under section 43.540. The Missouri state highway patrol shall notify the state board of
37 registration for the healing arts of any criminal history record information or lack of criminal history
38 record information discovered on the individual. Notwithstanding the provisions of section 610.120

1 to the contrary, all records related to any criminal history information discovered shall be accessible
2 and available to the state board of registration for the healing arts.

3 334.701. 1. The state board of registration for the healing arts may require that fingerprint
4 submissions be made as part of an application seeking licensure as an athletic trainer, as such term is
5 defined in section 334.702.

6 2. If the state board of registration for the healing arts requires that fingerprint submissions
7 be made as part of such application, the state board of registration for the healing arts shall require
8 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
9 conducting a state and federal fingerprint-based criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
11 central repository. The fingerprints shall be used for searching the state criminal records repository
12 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
13 search under section 43.540. The Missouri state highway patrol shall notify the state board of
14 registration for the healing arts of any criminal history record information or lack of criminal history
15 record information discovered on the individual. Notwithstanding the provisions of section 610.120
16 to the contrary, all records related to any criminal history information discovered shall be accessible
17 and available to the state board of registration for the healing arts.

18 334.739. 1. The state board of registration for the healing arts may require that fingerprint
19 submissions be made as part of an application seeking a license or temporary license as a physician
20 assistant, as such term is defined in section 334.735 and as provided in section 334.736.

21 2. If the state board of registration for the healing arts requires that fingerprint submissions
22 be made as part of such application, the state board of registration for the healing arts shall require
23 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
24 conducting a state and federal fingerprint-based criminal history background check.

25 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
26 central repository. The fingerprints shall be used for searching the state criminal records repository
27 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
28 search under section 43.540. The Missouri state highway patrol shall notify the state board of
29 registration for the healing arts of any criminal history record information or lack of criminal history
30 record information discovered on the individual. Notwithstanding the provisions of section 610.120
31 to the contrary, all records related to any criminal history information discovered shall be accessible
32 and available to the state board of registration for the healing arts.

33 334.805. 1. The Missouri board for respiratory care may require that fingerprint
34 submissions be made as part of an application seeking licensure as a respiratory care practitioner, an
35 educational permit to practice respiratory care, or a temporary permit to practice respiratory care, as
36 such terms are defined in section 334.800 and as provided in section 334.890.

37 2. If the Missouri board for respiratory care requires that fingerprint submissions be made as
38 part of such application, the Missouri board for respiratory care shall require applicants to submit

1 the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and
2 federal fingerprint-based criminal history background check.

3 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
4 central repository. The fingerprints shall be used for searching the state criminal records repository
5 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
6 search under section 43.540. The Missouri state highway patrol shall notify the Missouri board for
7 respiratory care of any criminal history record information or lack of criminal history record
8 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
9 contrary, all records related to any criminal history information discovered shall be accessible and
10 available to the Missouri board for respiratory care.

11 335.022. 1. The state board of nursing may require applicants to submit fingerprints to the
12 Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
13 criminal history background check for employment purposes with the state board of nursing.

14 2. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
15 central repository. The fingerprints shall be used for searching the state criminal records repository
16 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
17 search under section 43.540. The Missouri state highway patrol shall notify the state board of
18 nursing of any criminal history record information or lack of criminal history record information
19 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
20 records related to any criminal history information discovered shall be accessible and available to
21 the state board of nursing.

22 335.042. 1. The state board of nursing may require that fingerprint submissions be made as
23 part of an application seeking licensure to practice as a registered nurse, practical nurse, and
24 advanced practice registered nurse, as such terms are defined in section 335.016.

25 2. If the state board of nursing requires that fingerprint submissions be made as part of such
26 application, the state board of nursing shall require nursing applicants to submit the fingerprints to
27 the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
28 criminal history background check.

29 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
30 central repository. The fingerprints shall be used for searching the state criminal records repository
31 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
32 search under section 43.540. The Missouri state highway patrol shall notify the state board of
33 nursing of any criminal history record information or lack of criminal history record information
34 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
35 records related to any criminal history information discovered shall be accessible and available to
36 the state board of nursing.

37 336.025. 1. The state board of optometry may require that fingerprint submissions be made
38 as part of an application seeking licensure to practice as an optometrist, as provided in sections
39 336.010 and 336.030.

1 2. If the state board of optometry requires that fingerprint submissions be made as part of
2 such application, the state board of optometry shall require applicants to submit the fingerprints to
3 the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
4 criminal history background check.

5 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
6 central repository. The fingerprints shall be used for searching the state criminal records repository
7 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
8 search under section 43.540. The Missouri state highway patrol shall notify the state board of
9 optometry of any criminal history record information or lack of criminal history record information
10 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
11 records related to any criminal history information discovered shall be accessible and available to
12 the state board of optometry.

13 337.018. 1. The state committee of psychologists may require that fingerprint submissions
14 be made as part of an application seeking licensure as a licensed psychologist, provisional licensed
15 psychologist, and temporary license for a licensed psychologist.

16 2. If the state committee of psychologists requires that fingerprint submissions be made as
17 part of such application, the state committee of psychologists shall require applicants to submit the
18 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
19 fingerprint-based criminal history background check.

20 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
21 central repository. The fingerprints shall be used for searching the state criminal records repository
22 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
23 search under section 43.540. The Missouri state highway patrol shall notify the state committee of
24 psychologists of any criminal history record information or lack of criminal history record
25 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
26 contrary, all records related to any criminal history information discovered shall be accessible and
27 available to the state committee of psychologists.

28 337.308. 1. The behavior analyst advisory board may require that fingerprint submissions
29 be made as part of an application seeking licensure, provisional licensure, or temporary licensure as
30 a licensed behavior analyst or a licensed assistant behavior analyst, as such terms are defined in
31 section 337.300.

32 2. If the behavior analyst advisory board requires that fingerprint submissions be made as
33 part of such application, the behavior analyst advisory board shall require applicants to submit the
34 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
35 fingerprint-based criminal history background check.

36 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
37 central repository. The fingerprints shall be used for searching the state criminal records repository
38 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
39 search under section 43.540. The Missouri state highway patrol shall notify the behavior analyst

1 advisory board of any criminal history record information or lack of criminal history record
 2 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
 3 contrary, all records related to any criminal history information discovered shall be accessible and
 4 available to the behavior analyst advisory board.

5 337.501. 1. The committee for professional counselors may require that fingerprint
 6 submissions be made as part of an application seeking licensure as a licensed professional counselor
 7 and provisional licensed professional counselor, as defined in section 337.500.

8 2. If the committee for professional counselors requires that fingerprint submissions be
 9 made as part of such application, the committee for professional counselors shall require applicants
 10 to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state
 11 and federal fingerprint-based criminal history background check.

12 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
 13 central repository. The fingerprints shall be used for searching the state criminal records repository
 14 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
 15 search under section 43.540. The Missouri state highway patrol shall notify the committee for
 16 professional counselors of any criminal history record information or lack of criminal history record
 17 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
 18 contrary, all records related to any criminal history information discovered shall be accessible and
 19 available to the committee for professional counselors."; and

20
 21 Further amend said bill, Page 5, Section 337.604, Line 19, by inserting after all of said section and
 22 line the following:

23
 24 "337.605. 1. The state committee for social workers may require that fingerprint
 25 submissions be made as part of an application seeking a license or a temporary permit to practice as
 26 a licensed clinical social worker, licensed advanced macro social worker, licensed master social
 27 worker, and licensed baccalaureate social worker, as such terms are defined in section 337.600 and
 28 as provided in section 337.621.

29 2. If the state committee for social workers requires that fingerprint submissions be made as
 30 part of such application, the state committee for social workers shall require applicants to submit the
 31 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
 32 fingerprint-based criminal history background check.

33 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
 34 central repository. The fingerprints shall be used for searching the state criminal records repository
 35 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
 36 search under section 43.540. The Missouri state highway patrol shall notify the state committee for
 37 social workers of any criminal history record information or lack of criminal history record
 38 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the

1 contrary, all records related to any criminal history information discovered shall be accessible and
 2 available to the state committee for social workers."; and

3
 4 Further amend said bill, Page 12, Section 337.645, Line 52, by inserting after all of said section and
 5 line the following:

6
 7 "337.647. 1. The committee shall develop a school social work program verification and
 8 acknowledgment of completion for individuals who have met the requirements set forth in this
 9 section.

10 2. The committee shall issue a document similar to the document described in subsection 2
 11 of section 173.1400 to any individual who:

12 (1) Submits an application to the board;

13 (2) Holds a credential in school social work issued by a nationally recognized credentialing
 14 organization in social work, or demonstrates competency in school social work by successful
 15 passage of a school social worker exam approved by the committee;

16 (3) Holds a license issued by the committee; and

17 (4) Submits the fee as required by rule of the committee.

18 3. The committee shall promulgate rules and shall charge fees necessary to implement this
 19 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 20 under the authority delegated in this section shall become effective only if it complies with and is
 21 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 22 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 23 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 24 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 25 August 28, 2012, shall be invalid and void.

26 4. Notwithstanding any provision of law to the contrary, any school social work program
 27 verification and acknowledgment of completion issued by the committee under subsection 2 of this
 28 section shall not be deemed a license, certificate, registration or permit for any purpose, and such
 29 documents convey no authority to practice social work in Missouri and convey no authority to use
 30 any social work title in Missouri. Each school social work program verification and
 31 acknowledgment of completion issued by the committee under subsection 2 of this section shall
 32 state on its face that it:

33 (1) Is not a license, certificate, registration or permit;

34 (2) Conveys no authority to practice social work in Missouri; and

35 (3) Conveys no authority to use any social work title in Missouri.

36 5. Notwithstanding any provision of law to the contrary, school social work program
 37 verification and acknowledgment of completion issued by the committee under subsection 2 of this
 38 section shall not:

39 (1) Expire;

- 1 (2) Be subject to renewal;
2 (3) Be subject to denial or discipline under section 337.630; or
3 (4) ~~[Be subject to suspension under section 324.010; or~~
4 (5)] Be subject to any other action to which professional licenses may be subjected.

5 337.702. 1. The state committee of marital and family therapists may require that
6 fingerprint submissions be made as part of an application seeking licensure as a licensed marital and
7 family therapist or provisional licensed marital and family therapist as such terms are defined in
8 section 337.700.

9 2. If the state committee of marital and family therapists requires that fingerprint
10 submissions be made as part of such application, the state committee of marital and family
11 therapists shall require applicants to submit the fingerprints to the Missouri state highway patrol for
12 the purpose of conducting a state and federal fingerprint-based criminal history background check.

13 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
14 central repository. The fingerprints shall be used for searching the state criminal records repository
15 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
16 search under section 43.540. The Missouri state highway patrol shall notify the state committee of
17 marital and family therapists of any criminal history record information or lack of criminal history
18 record information discovered on the individual. Notwithstanding the provisions of section 610.120
19 to the contrary, all records related to any criminal history information discovered shall be accessible
20 and available to the state committee of marital and family therapists.

21 338.052. 1. The board of pharmacy may require that fingerprint submissions be made as
22 part of an application seeking a license to practice pharmacy as a pharmacist, a certificate of
23 registration as a pharmacy technician, a license as an intern pharmacist, a license as a wholesale
24 drug distributor, a license as a third-party logistics provider, a temporary license as a pharmacist, a
25 permit for the practice of pharmacy to be conducted at a pharmacy, and a license as a drug
26 outsourcer, as provided in sections 338.010, 338.013, 338.035, 338.043, 338.050, 338.210, and
27 338.330, and a manager-in-charge, wholesale drug distributor facility manager, third-party logistics
28 provider facility manager, wholesale drug distributor facility owner, or third-party logistics provider
29 facility owner, as such terms are defined in subsection 4 of this section.

30 2. If the board of pharmacy requires that fingerprint submissions be made as part of such
31 application, the board of pharmacy shall require applicants to submit the fingerprints to the Missouri
32 state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal
33 history background check.

34 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
35 central repository. The fingerprints shall be used for searching the state criminal records repository
36 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
37 search under section 43.540. The Missouri state highway patrol shall notify the board of pharmacy
38 of any criminal history record information or lack of criminal history record information discovered
39 on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records

1 related to any criminal history information discovered shall be accessible and available to the board
2 of pharmacy.

3 4. For purposes of this section, the following terms mean:

4 (1) "Manager-in-charge", a person who directly supervises a licensed wholesale drug
5 distributor or a third-party logistics provider, as such terms are defined in section 338.330, and
6 whose fingerprints are required by federal or state law for licensure of a wholesale drug distributor
7 facility or third-party logistics provider facility;

8 (2) "Third-party logistics provider facility manager", a person who is a manager and direct
9 supervisor of a licensed third-party logistics provider, as such term is defined in section 338.330,
10 and whose fingerprints are required by federal or state law for licensure of a third-party logistics
11 provider facility;

12 (3) "Third-party logistics provider facility owner", a person who is an owner with greater
13 than ten percent ownership interest of a licensed third-party logistics provider, as such term is
14 defined in section 338.330, and whose fingerprints are required by federal or state law for licensure
15 of a third-party logistics provider facility;

16 (4) "Wholesale drug distributor facility manager", a person who is a manager of a wholesale
17 drug distributor, as such term is defined in section 338.330, and whose fingerprints are required by
18 federal or state law for licensure of a wholesale drug distributor facility;

19 (5) "Wholesale drug distributor facility owner", a person who is an owner with greater than
20 ten percent ownership interest of a licensed wholesale drug distributor, as such term is defined in
21 section 338.330, and whose fingerprints are required by federal or state law for licensure of a
22 wholesale drug distributor facility.

23 339.015. 1. The Missouri real estate commission may require that fingerprint submissions
24 be made as part of an application seeking licensure as a real estate broker, real estate salesperson,
25 and real estate broker-salesperson, as such terms are defined in section 339.010 and as provided in
26 sections 339.030 and 339.040.

27 2. If the Missouri real estate commission requires that fingerprint submissions be made as
28 part of such application, the Missouri real estate commission shall require applicants to submit the
29 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
30 fingerprint-based criminal history background check.

31 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
32 central repository. The fingerprints shall be used for searching the state criminal records repository
33 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
34 search under section 43.540. The Missouri state highway patrol shall notify the Missouri real estate
35 commission of any criminal history record information or lack of criminal history record
36 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
37 contrary, all records related to any criminal history information discovered shall be accessible and
38 available to the Missouri real estate commission.

1 339.510. 1. The Missouri real estate appraisers commission may require that fingerprint
2 submissions be made as part of an application seeking licensure as a certified residential appraiser, a
3 certified residential appraiser trainee, a certified general appraiser, a certified general appraiser
4 trainee, a state-licensed appraiser, a state-licensed appraiser trainee, an appraisal management
5 company, a controlling person of an appraisal management company, and an owner of an appraisal
6 management company.

7 2. If the Missouri real estate appraisers commission requires that fingerprint submissions be
8 made as part of such application, the Missouri real estate appraisers commission shall require
9 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
10 conducting a state and federal fingerprint-based criminal history background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
12 central repository. The fingerprints shall be used for searching the state criminal records repository
13 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
14 search under section 43.540. The Missouri state highway patrol shall notify the Missouri real estate
15 appraisers commission of any criminal history record information or lack of criminal history record
16 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be accessible and
18 available to the Missouri real estate appraisers commission.

19 4. For purposes of this section, the following terms mean:

20 (1) "Appraisal management company", an individual that utilizes an appraisal panel and
21 performs appraisal management services for licensure;

22 (2) "Appraisal management services", to perform any of the following functions on behalf
23 of a lender, financial institution, or client:

24 (a) Administer an appraiser panel;

25 (b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level
26 expectations with persons who are part of an appraiser panel;

27 (c) Receive an order for an appraisal from one individual and deliver the order for the
28 appraisal to an appraiser that is part of an appraiser panel for completion;

29 (d) Track and determine the status of orders for appraisals performed by appraisers who are
30 part of an appraisal panel;

31 (e) Conduct quality control of a completed appraisal performed by an appraiser who is part
32 of an appraisal panel prior to the delivery of the appraisal to the individual who ordered the
33 appraisal; and

34 (f) Provide a completed appraisal performed by an appraiser who is part of an appraisal
35 panel to one or more individuals who have ordered an appraisal;

36 (3) "Certified general appraiser", an individual who is qualified by education, experience,
37 and examination to appraise any real property, and whose fingerprints are required for licensure;

38 (4) "Certified general appraiser trainee", an individual who, under supervision, is qualified
39 to appraise certain real property and whose fingerprints are required for licensure;

1 (5) "Certified residential appraiser", an individual who is qualified to appraise certain real
2 property and whose fingerprints are required for licensure;

3 (6) "Certified residential appraiser trainee", an individual who, under supervision, is
4 qualified to appraise certain real property and whose fingerprints are required for licensure;

5 (7) "Controlling person of an appraisal management company":

6 (a) An owner of an appraisal management company;

7 (b) An individual employed, appointed, or authorized by an appraisal management company
8 that has the authority to enter into a contractual relationship with other persons for the performance
9 of appraisal management services and has the authority to enter into agreements with appraisers for
10 the performance of appraisals; or

11 (c) An individual who possesses the power to direct or cause the direction of the
12 management or policies of an appraisal management company whose fingerprints are required for
13 licensure;

14 (8) "Owner of an appraisal management company", an individual who owns ten percent or
15 more of a licensed appraisal management company and whose fingerprints are required for
16 licensure;

17 (9) "State-licensed appraiser", an individual who is qualified to appraise certain real
18 property and whose fingerprints are required for licensure;

19 (10) "State-licensed appraiser trainee", an individual who, under supervision, is qualified to
20 appraise certain real property and whose fingerprints are required for licensure.

21 345.016. 1. The state board of registration for the healing arts may require that fingerprint
22 submissions be made as part of an application seeking a license, as described in section 345.020, or
23 provisional license, as described in section 345.021, as an audiologist, an audiology aide, a speech-
24 language pathologist, a speech-language pathology aide, and a speech-language pathology assistant,
25 as such terms are defined in section 345.015.

26 2. If the state board of registration for the healing arts requires that fingerprint submissions
27 be made as part of such application, the state board of registration for the healing arts shall require
28 applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of
29 conducting a state and federal fingerprint-based criminal history background check.

30 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
31 central repository. The fingerprints shall be used for searching the state criminal records repository
32 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
33 search under section 43.540. The Missouri state highway patrol shall notify the state board of
34 registration for the healing arts of any criminal history record information or lack of criminal history
35 record information discovered on the individual. Notwithstanding the provisions of section 610.120
36 to the contrary, all records related to any criminal history information discovered shall be accessible
37 and available to the state board of registration for the healing arts.

38 345.050. To be eligible for licensure by the board by examination, each applicant shall
39 submit the application fee and shall furnish evidence of such person's current competence and shall:

1 (1) Hold a master's or a doctoral degree from a program that was awarded "accreditation
2 candidate" status or is accredited by the Council on Academic Accreditation of the American
3 Speech-Language-Hearing Association or other accrediting agency approved by the board in the
4 area in which licensure is sought;

5 (2) Submit official transcripts from one or more accredited colleges or universities
6 presenting evidence of the completion of course work and clinical practicum requirements
7 equivalent to that required by the Council on Academic Accreditation of the American Speech-
8 Language-Hearing Association or other accrediting agency approved by the board;

9 (3) Present written evidence of completion of a clinical fellowship from supervisors. The
10 experience required by this subdivision shall follow the completion of the requirements of
11 subdivisions (1) and (2) of this section. This period of employment shall be under the direct
12 supervision of a ~~[person who is]~~ licensed ~~[by the state of Missouri in the profession in which the~~
13 ~~applicant seeks to be licensed]~~ speech-language pathologist in good standing. Persons applying with
14 an audiology clinical doctoral degree are exempt from this provision; and

15 (4) Pass an examination promulgated or approved by the board. The board shall determine the
16 subject and scope of the examinations.

17 374.711. 1. The department of commerce and insurance may require that fingerprint
18 submissions be made as part of an application seeking a license, or renewal of a license, for a
19 general bail bond agent, a bail bond agent, or a surety recovery agent, as such terms are defined in
20 section 374.700.

21 2. If the department of commerce and insurance requires that fingerprint submissions be
22 made as part of such application, the department of commerce and insurance shall require applicants
23 to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state
24 and federal fingerprint-based criminal history background check.

25 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
26 central repository. The fingerprints shall be used for searching the state criminal records repository
27 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
28 search under section 43.540. The Missouri state highway patrol shall notify the department of any
29 criminal history record information or lack of criminal history record information discovered on the
30 individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to
31 any criminal history information discovered shall be accessible and available to the department.

32 436.225. 1. The director of the division of professional registration may require that
33 fingerprint submissions be made as part of an application seeking licensure as an athlete agent.

34 2. If the director of the division of professional registration requires that fingerprint
35 submissions be made as part of such application, the director of the division of professional
36 registration shall require applicants to submit the fingerprints to the Missouri state highway patrol
37 for the purpose of conducting a state and federal fingerprint-based criminal history background
38 check.

39 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
40 central repository. The fingerprints shall be used for searching the state criminal records repository

1 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
2 search under section 43.540. The Missouri state highway patrol shall notify the director of the
3 division of professional registration of any criminal history record information or lack of criminal
4 history record information discovered on the individual. Notwithstanding the provisions of section
5 610.120 to the contrary, all records related to any criminal history information discovered shall be
6 accessible and available to the director of the division of professional registration.

7 4. For purposes of this section, the term "athlete agent" means an individual who:

8 (1) Recruits or solicits a student athlete to enter into an agency contract or, for
9 compensation, procures employment or offers, promises, attempts, or negotiates to obtain
10 employment for a student athlete as a professional athlete or member of a professional sports team
11 or organization;

12 (2) For compensation or in anticipation of compensation related to a student athlete's
13 participation in athletics:

14 (a) Serves the student athlete in an advisory capacity on a matter related to finances,
15 business pursuits, or career management decisions, unless the individual is an employee of an
16 educational institution acting exclusively as an employee of the educational institution for the
17 benefit of the educational institution; or

18 (b) Manages the business affairs of the student athlete by providing assistance with bills,
19 payments, contracts, or taxes; or

20 (3) In anticipation of representing a student athlete for a purpose related to the student
21 athlete's participation in athletics:

22 (a) Gives consideration to the student athlete or another person;

23 (b) Serves the student athlete in an advisory capacity on a matter related to finances,
24 business pursuits, or career management decisions; or

25 (c) Manages the business affairs of the student athlete by providing assistance with bills,
26 payments, contracts, or taxes.

27 443.702. 1. The division of finance may require that fingerprint submissions be made as
28 part of an application seeking licensure to act as a residential mortgage loan broker or a mortgage
29 loan originator.

30 2. If the division of finance requires that fingerprint submissions be made as part of such
31 application, the division of finance shall require applicants to submit the fingerprints to the Missouri
32 state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal
33 history background check.

34 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
35 central repository. The fingerprints shall be used for searching the state criminal records repository
36 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
37 search under section 43.540. The Missouri state highway patrol shall notify the division of finance
38 of any criminal history record information or lack of criminal history record information discovered
39 on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records

1 related to any criminal history information discovered shall be accessible and available to the
2 division of finance.

3 4. For purposes of this section, the following terms mean:

4 (1) "Mortgage loan originator", an individual who for compensation or gain or in the
5 expectation of compensation or gain takes a residential mortgage loan application, or offers or
6 negotiates terms of a residential mortgage loan. Mortgage loan originator does not include:

7 (a) An individual engaged solely as a loan processor or underwriter except as otherwise
8 provided in sections 443.701 to 443.893;

9 (b) An individual that only performs real estate brokerage activities and is licensed or
10 registered in accordance with the law of this state, unless the person is compensated by a lender, a
11 mortgage broker, or other mortgage loan originator or by any agent of such lender, mortgage broker,
12 or other mortgage loan originator;

13 (c) An individual solely involved in extensions of credit relating to time-share plans, as the
14 term time-share plans is defined in 11 U.S.C. Section 101(53D);

15 (d) An individual who is servicing a mortgage loan; or

16 (e) An individual employed by a licensed mortgage broker or loan originator who accepts or
17 receives residential mortgage loan applications;

18 (2) "Residential mortgage loan broker", an individual, other than an exempt individual,
19 engaged in the business of brokering, funding, servicing, or purchasing residential mortgage loans.

20 476.802. 1. The office of state courts administrator may require that fingerprint submissions
21 be made as part of the application of certification as a qualified interpreter, pursuant to section
22 476.800.

23 2. If the office of state courts administrator requires that fingerprint submissions be made as
24 part of such application, the office of state courts administrator shall submit fingerprints to the
25 Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based
26 criminal history background check on applicants.

27 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
28 central repository. The fingerprints shall be used for searching the state criminal records repository
29 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
30 search under section 43.540. The Missouri state highway patrol shall notify the office of state courts
31 administrator of any criminal history record information or lack of criminal history record
32 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
33 contrary, all records related to any criminal history information discovered shall be accessible and
34 available to the office of state courts administrator of Missouri.

35 484.125. 1. The Missouri supreme court may require that fingerprint submissions be made
36 as part of an application of licensure for admission or reinstatement to the Missouri Bar in order to
37 engage in the practice of law or law business, as such terms are defined in section 484.010.

38 2. If the Missouri supreme court requires that fingerprint submissions be made as part of
39 such application, the Missouri supreme court shall submit the fingerprints to the Missouri state

1 highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history
2 background check.

3 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
4 central repository. The fingerprints shall be used for searching the state criminal records repository
5 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
6 search under section 43.540. The Missouri state highway patrol shall notify the Missouri supreme
7 court of any criminal history record information or lack of criminal history record information
8 discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
9 records related to any criminal history information discovered shall be accessible and available to
10 the Missouri supreme court.

11 590.060. 1. The POST commission shall establish minimum standards for training
12 instructors and training centers, and the director shall establish minimum qualifications for
13 admittance into a basic training course.

14 2. The director shall license training instructors, centers, and curricula, and may probate,
15 suspend and revoke such licenses upon written notice stating the reasons for such action. Any
16 person aggrieved by a decision pursuant to this subsection may appeal as provided in chapter 536.

17 ~~3. [Each person seeking entrance into a basic training program shall submit a fingerprint~~
18 ~~card and authorization for a criminal history background check to include the records of the Federal~~
19 ~~Bureau of Investigation to the training center where such person is seeking entrance. The training~~
20 ~~center shall cause a criminal history background check to be made and shall cause the resulting~~
21 ~~report to be forwarded to the director. The person seeking entrance may be charged a fee for the~~
22 ~~cost of this procedure.]~~ Each person seeking entrance into a basic training program shall submit
23 fingerprints for the purpose of conducting a state and federal fingerprint-based background check.
24 Fingerprints and any required fees shall be sent to the Missouri state highway patrol's central
25 repository. The fingerprints shall be used for searching the state criminal records repository and
26 shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search
27 under section 43.540. The Missouri state highway patrol shall notify the director of any criminal
28 history record information or lack of criminal history record information discovered on the
29 individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to
30 any criminal history information discovered shall be accessible and available to the director.

31 640.011. 1. The department of natural resources may require that fingerprint submissions be
32 made as part of an application seeking employment or to volunteer with the department of natural
33 resources.

34 2. If the department of natural resources requires that fingerprint submissions be made as
35 part of such application, the department of natural resources shall require applicants to submit the
36 fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal
37 fingerprint-based criminal history background check.

38 3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's
39 central repository. The fingerprints shall be used for searching the state criminal records repository

1 and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records
 2 search under section 43.540. The Missouri state highway patrol shall notify the department of
 3 natural resources of any criminal history record information or lack of criminal history record
 4 information discovered on the individual. Notwithstanding the provisions of section 610.120 to the
 5 contrary, all records related to any criminal history information discovered shall be accessible and
 6 available to the department of natural resources.

7 ~~[324.010. All governmental entities issuing professional licenses,~~
 8 ~~certificates, registrations, or permits pursuant to sections 209.319 to 209.339,~~
 9 ~~sections 214.270 to 214.516, sections 256.010 to 256.453, section 375.014,~~
 10 ~~sections 436.005 to 436.071, and chapter 317 and chapters 324 to 346 shall~~
 11 ~~provide the director of revenue with the name and Social Security number of each~~
 12 ~~applicant for licensure with or licensee of such entities within one month of the~~
 13 ~~date the application is filed or at least one month prior to the anticipated renewal~~
 14 ~~of a licensee's license. If such licensee is delinquent on any state taxes or has~~
 15 ~~failed to file state income tax returns in the last three years, the director shall then~~
 16 ~~send notice to each such entity and licensee. In the case of such delinquency or~~
 17 ~~failure to file, the licensee's license shall be suspended within ninety days after~~
 18 ~~notice of such delinquency or failure to file, unless the director of revenue verifies~~
 19 ~~that such delinquency or failure has been remedied or arrangements have been~~
 20 ~~made to achieve such remedy. The director of revenue shall, within ten business~~
 21 ~~days of notification to the governmental entity issuing the professional license that~~
 22 ~~the delinquency has been remedied or arrangements have been made to remedy~~
 23 ~~such delinquency, send written notification to the licensee that the delinquency has~~
 24 ~~been remedied. Tax liability paid in protest or reasonably founded disputes with~~
 25 ~~such liability shall be considered paid for the purposes of this section.]~~

26
 27 ~~[339.845. If the commission receives a notice of delinquent taxes from the~~
 28 ~~director of revenue under the provisions of section 324.010 regarding a real estate~~
 29 ~~broker or salesperson, the commission shall immediately send a copy of such~~
 30 ~~notice to the real estate broker with which the real estate broker or salesperson is~~
 31 ~~associated.]"; and~~
 32

33 Further amend said bill by amending the title, enacting clause, and intersectional references
 34 accordingly.